Third Series, Vol. XXIV—No. 21. Monday, December 16, 1963.
Agrahayana 25, 1885 (*Saka*)

LOK SABHA DEBATES

(Sixth Session)

(Vol. XXIV contains Nos. 21—26)

LOK SABHA SECRETARIAT
NEW DELHI

Price: Re. 1.00

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LOK SABHA DEBATES

(THIRD SERIES)

Volume XXIV, 1963

[*December 16 to 21, 1963/Agrahayana 25 to 30, 1885 (Saka)*]

SIXTH SESSION, 1963/1885 (*Saka*)

(*Vol. XXIV contains Nos. 21 to 26*)

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GMGIPND—LS II—1880 (Ai) LSD—3-1-64—880.

LOK SABHA

Monday, December 16, 1963/Agrahayana 25, 1885 (Saka)

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER *in the Chair*]

MEMBERS SWORN

Mr. Speaker: Secretary may call out the names of the Members who have come to make and subscribe the oath or affirmation under the Constitution and then the Minister of Parliamentary Affairs may introduce the Members to the House.

Secretary: Shri Mukunda Padmanaba Shinkre.

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): Sir, I have great pleasure in introducing to you and through you to the House Shri Mukunda Padmanaba Shinkre who has been returned to Lok Sabha from Marmagoa constituency of Goa, Daman and Diu.

Shri Mukunda Padmanaba Shinkre (Marmogoa).

Secretary: Shri Peter Augustus Alvares.

(Shri Satya Narayan Sinha): Sir, I have great pleasure in introducing to you and through you to the House Shri Peter Augustus Alvares who has been returned to Lok Sabha from Panjim constituency of Goa, Daman and Diu.

Shri Peter Augustus Alvares (Panjim).

ORAL ANSWERS TO QUESTIONS

गाजियाबाद के किसान

*५७६. **श्री प्रकाशवीर शास्त्री :** क्या **प्रधान मंत्री** २६ अगस्त १९६३ के ध्यानाकर्षण प्रस्ताव के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या गाजियाबाद के आस पास औद्योगिक बस्ती के लिए अर्जित भूमि के लिए किसानों को दिये जाने वाले मुआवजे की दर अन्तिम रूप से तय हो गई है ;

(ख) इन सम्बन्धित किसानों ने अपने जो सुझाव प्रधान मंत्री के सम्मुख प्रस्तुत किए थे तथा उन के कहने पर प्रश्न की जांच करने के बाद कृषि मंत्री द्वारा जो सुझाव दिये गये थे, क्या उत्तर प्रदेश सरकार ने उन सभी को स्वीकार कर लिया है; और

(ग) यदि हां, तो उन पर क्या निर्णय लिया गया है ?

वैदेशिक कार्य मंत्रालय में राज्य मंत्री (श्रीमती लक्ष्मी मेनन) : (क) राज्य सरकार ने निजी उद्योगियों को उद्योग स्थापित करने के लिए स्थान देने के हेतु गाजियाबाद के पास भूमि ली थी, न कि औद्योगिक बस्ती के लिए । उक्त सरकार ६ फरवरी, १९६२ की बाजार दरों पर मुआवजा देने के लिये राजी हो गई है ।

(ख) और (ग). भूमि, कुंओं, नल-कूपों और बागों के लिए मुआवजा और पुनर्वास की सुविधायें देने के विषय में किसानों और केन्द्रीय कृषि मंत्री के सुझावों में से ज्यादातर राज्य सरकार ने मान लिए हैं ।

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon): (a) The State Government had acquired land near Ghaziabad for providing sites to private entrepreneurs for setting up industries and not for industrial estate as such. They have since agreed to pay compensation at the market rates prevailing as on February 9, 1962.

(b and (c). The State Government have accepted most of the suggestions made by the agriculturists and the Central Minister of Agriculture relating to payment of compensation for land, wells, tube-wells and groves and grant of resettlement facilities.]

श्री प्रकाशवीर शास्त्री : जैसा माननीय मंत्री जी ने बतलाया, उत्तर प्रदेश की सरकार ९ फरवरी, १९६२ की बाजार दरों पर मुआवजा देने के लिए तैयार हो गई है । मैं जानना चाहता हूं कि प्रधान मंत्री जी की इतनी लम्बी और स्पष्ट घोषणा के बाद भी जो लम्बी अवधि बीच में निकल गई है और उत्तर प्रदेश की सरकार ने अब तक मुआवजे की घोषणा नहीं की है क्योंकि उस को अपनी खींचतान से ही फुर्सत नहीं है, ऐसी स्थिति में क्या केन्द्रीय सरकार बीच में हस्तक्षेप कर के जल्द से जल्द मुआवजा दिलाने का यत्न करेगी ?

प्रधान मंत्री, वैदेशिक-कार्य मंत्री तथा अणु शक्ति मंत्री (श्री जवाहरलाल नेहरू) : हम तो कोशिश कर रहे हैं और हम ने उन को इत्तिला भी दे दी है । सिर्फ एक आध बात पर वह राजी नहीं हुए हैं । उस के बारे में यहां से दो एक आदमी, यानी पी० पी० एस० और अमीर रजा साहब जिन्हों ने जांच पड़ताल की थी, वहां जाने वाले हैं और वे जा कर बात चीत करेंगे । वह तो हो जाते लेकिन वहां पर जो लोग इस से ताल्लुक रखते हैं वह शायद छुट्टी पर हैं । वह दो चार रोज में वापस आ जायेंगे । उस के बाद वे लोग वहां पर जायेंगे और इस का फैसला कर लेंगे । ऐसी उम्मीद है ।

श्री प्रकाशवीर शास्त्री : ऐसी कौन सी दो एक बातें हैं जिन पर उत्तर प्रदेश की सरकार सहमत नहीं हो रही है, और ९ फरवरी, १९६२ की बाजार दर से जो दाम गाजियाबाद को मध्य में मान कर दिये जायेंगे उस सम्बन्ध में प्रधान मंत्री की घोषणा में पट्टी सिस्टम की अन्तर्बाधा का कहीं उल्लेख नहीं था । मैं जानना चाहता हूं कि उस में कहीं फिर से तो यह पट्टी सिस्टम बाधक नहीं बनेगा ।

श्री जवाहरलाल नेहरू : करीब करीब सारी बातें स्वीकार कर ली गई हैं । एक आध के ऊपर अभी उत्तर प्रदेश की सरकार गौर कर रही है । उन में से एक थी सोलैशियम देने की बात । उस में कुछ फैसला नहीं हुआ है । बाकी बातें तय हो गई हैं ।

श्री प्रकाशवीर शास्त्री : मेरा प्रश्न यह था कि क्या उत्तर प्रदेश की सरकार को केन्द्रीय सरकार इस प्रकार के निर्देश दे रही है कि जो बेचारे भूखों मर रहे हैं उन को इस सम्बन्ध में दो चार दिन

अध्यक्ष महोदय : इसी लिये तो सरकार के आदमी जा रहे हैं बात चीत करने ।

श्री बड़े : क्या गाजियाबाद के लोगों ने यह भी कहा था कि उन को कम्पेन्सेशन देने के बजाय भूमि दी जाय, और क्या शासन ने इस बात पर विचार किया है ।

श्री जवाहरलाल नेहरू : इस पर भी शायद उन्हों ने विचार किया है । लेकिन जमीन बहुत ज्यादा तो है नहीं उन को देने के लिए । अगर कहीं मिल भी जायेगी तो शायद उतनी अच्छी न हो । लेकिन इस पर विचार जरूर किया गया है ।

Shri Kapur Singh: May I know whether Government are now in a position to reiterate that in all such cases of land acquisition they deem it as their primary responsibility to pay market prices instead of refer-

ring the aggrieved person to court procedures?

Mr. Speaker: That is a matter of policy and not for answer during Question Hour.

श्री यशपाल सिंह: क्या सरकार के ध्यान में यह बात आई है कि जब वह जमीनें ली गई थीं उस वक्त से जमीन की कीमतें चालिसगुनी बढ़ चुकी हैं ।

Shri Kapur Singh: Sir, I was not referring to any matter of policy, but I was referring to the implementation of the laws which is now under discussion directly in this question.

Mr. Speaker: Laws are different. That is the Land Acquisition Act. In this a special departure had been made. Now the hon. Member wants to know whether this would be applied and implemented in other cases also which arise in future.

Shri Kapur Singh: In similar circumstances.

Mr. Speaker: It is a matter of policy. A particular decision has been taken in a particular case.

Shri Kapur Singh: The policy is already there. Whether it is being implemented, whether he is seized of it—that is what I am asking.

श्री यशपाल सिंह : मेरे सवाल जवाब नहीं मिला ।

अध्यक्ष महोदय : सवाल तो आप का आया लेकिन जब ६ फरवरी का फैसला हो गया तब भी आप कहते हैं कि उस वक्त से ४० फी सदी दाम बढ़ गया है ।

श्री यशपाल सिंह : ४० गुनी हो गई हैं ।

Shri Harish Chandra Mathur: I wanted to ask almost the same question. I do not know whether it is permissible. You may kindly consider.

I want to know whether there were any grounds for special treatment being given in this or whether it is a pattern which the Prime Minister thinks should be followed in all cases and whether he has advised the State Governments accordingly.

Shri Jawaharlal Nehru: This case was treated as a special case, because the land was near Delhi; this does not occur elsewhere. The hon. Member asked whether what was decided was to pay them according to the Land Acquisition Act. What has been decided will result in payment to them much more than what they would have got under the Land Acquisition Act, because of this proximity of Delhi; and, secondly, they decided to take the market price in February, 1962, not the previous date which had been suggested at first.

Survey of Middle Class People

*580. **Shri Harish Chandra Mathur:** Will the **Prime Minister** be pleased to state:

(a) whether Government have made any survey of the living conditions of the middle class section of the population; and

(b) if so, the extent to which their economic conditions have deteriorated during the last five years?

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon): (a) Yes; a sample survey of urban middle class employee families, in 45 selected centres of the country, was undertaken during the year 1958-59.

(b) In the absence of any subsequent survey, it is not possible to say with any degree of certainty what changes have taken place in their economic condition since 1958-59.

Shri Harish Chandra Mathur: Is the hon. Prime Minister, who has his

fingers on the pulse of the nation, aware that there is a seething discontent among the middle classes, particularly the educated ones, that their life is becoming more and more difficult from year to year?

Shrimati Lakshmi Menon: How does it arise out of this question? This refers to sample survey.

The Prime Minister, Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): Hon. Member asks me whether difficulties have arisen. Certain difficulties have undoubtedly arisen. This refers to sample survey being taken. That sample survey was taken some three years ago.

Shri Harish Chandra Mathur: What has been done? What are the difficulties that have arisen and what is the Government's action to mollify those difficulties? That will complete the question. I know that a sample survey was taken in 1958.

Mr. Speaker: That will complete the question, but the answer will take an hour—what difficulties arose and what measures were taken.

Shri Harish Chandra Mathur: It is important, Sir. Otherwise, what are we interested in?

Shrimati Lakshmi Menon: Data had been collected and some reports have come in. Unless we get all the reports and the tabulations are complete, we do not get the base from which we can compare the position.

Shri S. M. Banerjee: Do the reports received indicate that there is growing indebtedness among the middle-class families and, if so, what steps have been taken to reduce it?

Shri Jawaharlal Nehru: Various steps have been taken; I cannot obviously detail all of them. I have not got the material before me. We shall probably get it before long and be in a position to know.

Shri S. M. Banerjee: Is there growing indebtedness or not?

Mr. Speaker: Has the sample survey revealed that indebtedness is growing?

Shri Jawaharlal Nehru: I do not know; I have not seen it.

Shri Hari Vishnu Kamath: Is it a fact that during the last ten years or more, owing to rising prices and lowering incomes, the trend has been towards debilitation, if not elimination of the middle-class, leaving only two classes, the rich and the poor getting richer and poorer, and if so does the Prime Minister regard this development as an approximation towards his ideal of a classless society?

Mr. Speaker: Is that also revealed in the sample survey?

Shri Hari Vishnu Kamath: It is a sample survey of the living conditions. Has the sample survey revealed this thing? I am asking that question.

Shri Jawaharlal Nehru: I cannot say what the survey will reveal. It is possible that some people may have gone down in the scale of their incomes, etc. and others may have gone up. It is possible. But the answer to the last part of the hon. Member's question is that it is certainly not our idea that this should continue.

Shri Harish Chandra Mathur: I believe that the hon. Prime Minister does not confine his conception of middle-class and lower middle-class only to Central Government employees. May I know if it takes years to take certain steps after the survey or some new methods are thought of for taking immediate action after the survey is over?

Shri Jawaharlal Nehru: I cannot answer what new methods and what future policies there will be. They will be placed before the House when they are made.

Shri Bhagwat Jha Azad: May I know whether the conclusions arrived at in the survey some years before have been supported by statistics made available to Government during the mid-term appraisal of the Plan?

Shri Jawaharlal Nehru: I cannot understand this. The survey was started to provide statistics.

Shri Bhagwat Jha Azad: That the condition of the middle-class has been worsening—is it not supported by the statistics available in the mid-term appraisal?

Shri Jawaharlal Nehru: When the reports are ready we will give a definite answer.

Shri Prabhat Kar: May I know whether the survey includes enquiries in the rural and urban sectors and also unemployment and under-employment of the middle-class?

Shrimati Lakshmi Menon: The survey covers 45 cities and deals only with the middle-class. Middle-class is defined as people living class mainly on incomes or non-manual employment. 36,000 sample families have been investigated. Some reports deal with living conditions, schedule A with family budget and B with conditions of working and living. Five tables have been received in respect of schedule A, and one other table was received in May 1963.

Shri D. N. Tiwary: Out of 45 cities, how many were in Bihar and what did they reveal?

Shrimati Lakshmi Menon: Three district towns in Bihar were taken—Patna, Ranchi and Muzaffarpur.

Use of Harmonium on All India Radio

*581. **Shri Bade:**
Shri R. G. Dubey:
Shri Onkar Lal Berwa:
Shri Narasimha Reddy:
Shri Gokaran Prasad:
Shri Kachhavaiya:
Shri S. M. Banerjee:

Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether the Central Advisory Board for Music and the Music Audition Board have decided to keep the harmonium away from the All India Radio; and

(b) if so, the reasons therefor?

The Deputy Minister in the Ministry of Information and Broadcasting (Shri Sham Nath): (a) Yes, Sir.

(b) The following main considerations determined this decision:

(i) The scale of the harmonium is not a natural one but is a tempered one *i.e.* the whole gamut has been divided artificially. The micro-tones which are an essential part of Indian Music cannot be brought out on this instrument at all;

(ii) Only cut or straight notes can be produced on this instrument. Curves and slurs are impossible of production whereas it is such embellishments that bring out the real beauty and individuality of our music;

(iii) It is very difficult to keep the harmonium in perfect tune constantly;

(ix) It is a noisy instrument and drowns the vioce of the singer;

(v) Though it is a Western invention, it finds no place in any Western orchestra or even in a Western theature;

(vi) Music Academies, musicologists and many knowledgeable persons having expressed themselves strongly against the use of the harmonium in Indian Music.

श्री बड़े : क्या यह बात सही है कि भावखंडे ने जो कि म्यजक में एक्सपर्ट माने जाते हैं अपनी यह राय दी है कि हारमोनियम एक ऐसा बाजा है जो कि जितने भी अनेक बाजे हैं उन का अनुकरण कर सकता है, और इसलिये इस को आल इंडिया रेडियो के बाजों की सूची में से निकाला न जाए ?

संसद-कार्य मंत्री (श्री सत्य नारायण सिंह) : यह सवाल ऐसा है जिस का जवाब देने के लिए सचमुच बहुत टैकनिकल नालिज की जरूरत है । मैं नहीं जानता कि सवाल पूछने वाले को इतनी नालिज है, मुझे तो नहीं है । लेकिन जहां तक हारमोनियम का सवाल है, यह आज से नहीं सन् १९३९ से, यानी २३ साल से बन्द है । इस बार इस की चर्चा फिर उठी थी । हिन्दुस्तान के जितने बड़े बड़े म्यूजिक कालिज हैं उन के प्रतिनिधियों की और अन्य बड़े म्युजिशियन्स की एक कानफरेंस हुई थी, जिस की मैं ने सदारत की थी । बहुत सी बातें तो मेरी समझ में नहीं आयीं, वे लोग गमक आदि की बातें करते थे । लेकिन यह सही है कि दो एक आदमियों को छोड़ कर जितने म्यूजिशियन्स थे, इंस्ट्रूमेंटल या वोकल, सब ने कहा कि हारमोनियम ऐसी चीज है जोकि उन तमाम गानों के साथ नहीं चल सकती जोकि आल इंडिया रेडियो से दिए जाते हैं । भाटखंडे के स्कूल के दो एक आदमियों को छोड़ कर यह ओवरव्हेल्मिंग लोगों की राय थी कि इस को नहीं रखना चाहिए । और मैं हाउस को यह सूचना दे सकता हूं कि हमारे देश के बहुत बड़े कलामर्मज्ञ रवीन्द्र नाथ ठाकुर ने भी हारमोनियम के खिलाफ अपनी बड़ी जबरदस्त राय दी थी । आम म्यूजिशियन्स की यह राय है कि इस चीज को जोकि २३ बरस से बन्द है फिर न लाया जाय ।

श्री बड़े : आल-इंडिया रेडियो में तो सरकार ने हार्मोनियम के इस्तेमाल को बन्द कर दिया है, लेकिन देश में संगीत विद्यालयों और कालेजों आदि में लड़कों और आर्टिस्ट्स को हार्मोनियम का जो शिक्षण दिया जाता है, क्या सरकार उस को भी बन्द करने जा रही है ?

श्री सत्य नारायण सिंह : आल-इंडिया रेडियो में तो वह पिछले २३ साल से बंद है ।

अध्यक्ष महोदय : माननीय सदस्य यह जानना चाहते हैं कि स्कूलों और कालेजों में हार्मोनियम की जो शिक्षा दी जाती है, क्या वह भी बन्द कर दी जायेगी या नहीं ।

श्री सत्य नारायण सिंह : वह तो हमारे हाथ में नहीं है । अगर वह हमारे हाथ में होती, तो हम उस को भी बन्द कर देते ।

श्री बड़े : माननीय मंत्री ने कहा है कि वह उस को भी बन्द कर देते । मैं ने उस के बारे में एक सवाल पूछना है ।

अध्यक्ष महोदय : उन्हों ने कहा है कि यह उनके बस की बात नहीं है । अगर होती, तो वह बन्द कर देते ।

Shri Nath Pai: May I know to what extent the deep-seated and well-known prejudice of the Prime Minister against the harmonium has influenced the decision of the Ministry, in spite of the fact that millions of whom he calls laymen love the harmonium and there is a very strong school of musicians who think that the harmonium is a good and popular instrument?

Mr. Speaker: He cannot argue.

Shri Satya Narayan Sinha: I can tell the hon. Member that the Prime Minister's opinion had nothing to do with it. I do not even know whether the Prime Minister was for or against it.

Shri Hari Vishnu Kamath: He is seated very close to him.

Shri Satya Narayan Sinha: But, as I said, for the last 23 years, it had been banned. I had also cited the opinion of the late Rabindranath Tagore.

श्री स० मो० बनर्जी : क्या यह बात सच है कि आज से २३ साल पहले पंडित नारायणराव व्यास ने हार्मोनियम के खिलाफ इस वजह से आन्दोलन किया था कि वोकलिस्ट्स के गले की आवाज हार्मोनियम की

आवाज में दब जाती है ; यदि हां, तो क्या क्लासिकल म्यूजिक को छोड़ कर लाइट म्यूजिक और ठुमरी में हार्मोनियम को इस्तेमाल करने की इजाजत दी जायेगी ?

श्री सत्य नारायण सिंह : अभी किसी चीज में उस की इजाजत नहीं है—न ठुमरी के लिये और न गजल के लिए।

Shri Prabhat Kar: If the decision had been taken 23 years ago, may I know what was the necessity again for considering this matter at this stage? Was there any representation by any musician about it? (*Interruption*).

Mr. Speaker: Why should there be so much of noise?

Shri Satya Narayan Sinha: I could not follow the question. Will the hon. Member kindly repeat it?

Mr. Speaker: His question was, where was the necessity for raising it again now.

Shri Satya Narayan Sinha: I do not know. During the period of my predecessor, somebody, when he went to Bombay, broached this question to him. He said, "let us examine it." Therefore, this matter came up before us.

Shri Kapur Singh: The hon. Minister has informed the House that the harmonium has been banned from the precincts of the AIR because it is considered musicologically inappropriate for rendition of the tonal frequencies of Shastraic music, but for non-classical music, with which also the AIR is concerned, may I know whether there are any peculiar reasons for banning the harmonium for the popular music?

Mr. Speaker: All these reasons have been read out; not only one but there were several reasons mentioned.

Shri Kapur Singh: Do they consider that the harmonium is inappropriate for the rendition of non-classical Indian music also? That is the question which I want to be answered.

Shri Satya Narayan Sinha: All these aspects were taken into consideration. I am a layman. But all the experts were there. They all sat together and discussed it. (*Interruption*).

Mr. Speaker: Order, order. He says he does not know it. Shri Ansar Harvani.

Shri Ansar Harvani: Sometime back the All India Radio had banned film music, but as a result of strong public opinion film music had got to be introduced. So, is the Minister aware that the film records which are played by All India Radio contain harmonium music also?

Mr. Speaker: Arguments are being entered into. Shri Chaturvedi.

Shri S. N. Chaturvedi: May I know, why a total ban has been placed on this instrument and why has it not been left to the discretion of the musician to have the accompaniment that he likes for his performance?

Mr. Speaker: He has already given the answer.

श्री विभूति मिश्र : क्या यह सही है कि रवि बाबू हार्मोनियम के खिलाफ़ इसलिए थे कि मनुष्य के अन्दर जो संगीत की स्वाभाविक शक्ति होती है, वह हार्मोनियम के जरिये दब जाती है ?

श्री सत्य नारायण सिंह : जरूर ऐसा होगा। रवि बाबू मामूली तौर से तो अपनी राय जाहिर नहीं कर रहे होंगे।

Bonus Commission

*582. **Shri Yaspal Singh:**
Shri S. M. Banerjee:
Shri Sarjoo Pandey:
Shri D. C. Sharma:

Will the Minister of **Labour and Employment** be pleased to refer to

the reply given to Starred Question No. 560 on the 9th September, 1963 and state:

(a) whether the report of the Bonus Commission has since been received;

(b) if so, the salient recommendations thereof; and

(c) the action taken or proposed to be taken thereon?

The Deputy Minister in the Ministry of Labour and Employment (Shri R. K. Malviya): (a) No.

(b) and (c). Do not arise.

श्री यशपाल सिंह : क्या मैं जान सकता हूं कि क्या एग्रीकल्चर लेबर के लिए भी कभी इस तरह का कोई कमीशन बिठाने का विचार है ?

श्री र० कि० मालवीय : अभी तक तो इस पर विचार नहीं किया गया है ।

श्री यशपाल सिंह : सरकार ने बोनस देने के लिए क्या प्रिंसिपल अपनाया है ? वह किस परसेंटेज से और किस ग्राउंड पर बोनस देगी ?

श्री र० कि० मालवीय : यही तो यह कमीशन तय कर रहा है कि हर एक इंडस्ट्री में किस बेसिस पर बोनस दिया जाये ।

Shri S. M. Banerjee: I would like to know whether the hon. Deputy Minister is aware that there is a growing discontent among all sections of workers due to the non-submission of the Bonus Commission Report and the stand taken by the employers not to pay bonus under the shelter of the Bonus Commission?

Shri R. K. Malviya: This question is a separate one. It does not relate to the Bonus Commission. So far as the discontent is concerned, the Government is separately taking it up, and every dispute is either referred to adjudication or is settled amicably.

Shri Prabhat Kar: As far as the examination of the witnesses and presentation of the case are concerned, it was completed just a year ago, and so may I know what are the difficulties that the Bonus Commission is faced with, for non-submission of the report even after one year after the completion of hearing?

The Minister of Supply (Shri Hathi): The Bonus Commission has completed recording of evidence and it has even completed the draft report. They are now discussing only the contents of the draft report. A sub committee has been appointed because all the members did not come together and discuss it. This committee is meeting on the 17th and 18th, that is, tomorrow and the day after, when the commitee will perhaps finalise its report. Then it will be placed before the full Commission.

Shri Warior: By what time does the Government expect, even now, to get the report of the Bonus Commission?

Shri Hathi: I have given the whole stage.

Shri S. M. Banerjee: Previously, there were bipartite and tripartite agreements in regard to bonus awards. But after the setting up of the Bonus Commission, everything has been referred to it. I would like to know whether the Government have taken any step to see that the employers do not take undue advantage of the non-submission of the Bonus Commission report and then again enter into bipartite and tripartite agreements and awards?

Shri R. K. Malviya: Action is being taken in regard to bonus prior to the submission of the Bonus Commission report. As I have just stated, the dispute is settled either by mutual negotiation or by adjudication.

Shri D. C. Sharma: Is it not a fact that the members of this Commission

are those whose hands are already too full with work, governmental and non-official, and this fact was not taken into account when the appointment was made, and therefore the whole work is being delayed?

Shri R. K. Malviya: Yes, Sir. It is a fact; the convenience of the members has got to be taken into account. Sometimes the labour side and sometimes the employers' side is not ready to attend the Commission's meetings and adjournments have got to be made on that account and delays have been occurring.

Shrimati Savitri Nigam: May I know what are the categories of labour, especially those working in the public sector, which will be covered by this Bonus Commission?

Shri Hathi: The resolution setting up the Bonus Commission mentions what kind of categories will be there. They are mentioned there.

Shri K. N. Pande: May I know whether any condition has been laid down in the procedure with regard to the Commission that in case the report is not unanimous it will not be implemented or accepted by the Government?

Shri R. K. Malviya: If the report is not unanimous, it will be very difficult to implement it, and ways and means will have to be found later on.

Shri Nath Pai: Is the Minister aware that there is a feeling that the delay in finalising and publishing the recommendations of the Commission is not a justifiable one and as a result one member of the Commission has threatened to resign from the Commission unless its findings are made public before the end of this month?

Shri R. K. Malviya: I have no information if any member has threatened to resign, but as my hon. colleague has stated the report of the Commission is likely to be published soon.

Shri Nath Pai: The news about his threatening to resign came only yesterday in the papers. How does the Minister say that he is not aware?

Mr. Speaker: If he says they are not aware, what else can be done?

Shri Nath Pai: Is it fair to the House, Sir, that when it has come out in the papers, the Ministers do not come to know of it? Do they read something, apart from their own speeches?

Mr. Speaker: Order, order. Next question.

Study Team on Prohibition

*584. + **Shri Bhagwat Jha Azad:**
Shri D. N. Tiwary:
Shri N. R. Laskar:
Shri G. Mohanty:
Shri Ramachandra Ulaka:
Shri Dhuleshwar Meena:
Shrimati Savitri Nigam:
Shri Sham Lal Saraf:
Shri D. C. Sharma:

Will the Minister of **Planning** be pleased to states:

(a) whether the study team on prohibition have sumbitted any report to Government; and

(b) if so, its main recommendations?

The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman): (a) No, Sir.

(b) Does not arise.

Shri Bhagwat Jha Azad: May I know whether they have given any indication as to how far they have been able to complete the work and by what time they will be able to submit their report on this important problem?

Shri C. R. Pattabhi Raman: We expect the preliminary report to be ready by the end of this month and the final report next month.

Shri Bhagwat Jha Azad: May I know whether this team has been charged with the responsibility of taking note of the different statements or re-thinking from different States regarding prohibition?

Shri C. R. Pattabhi Raman: Yes, Sir; they have already toured some States and they are going round collecting opinion with regard to the working and all the aspects of prohibition.

Shri D. N. Tiwary: May I know whether Government has received the opinion from those States which had introduced prohobition that they want to scrap it again?

Shri C. R. Pattabhi Raman: No, Sir; excepting that all the points of view can come before this study team, nothing more is known.

Shrimati Savitri Nigam: May I know if this Commision has submitted any interim report and whether this Commission has also been asked to find out the various ways and means to make prohibition plan successful?

Shri C. R. Pattabhi Raman: Yes, Sir; actually one of the terms of reference is to suggest steps to make it as successful as possible and to plug the loopholes such as they are. As I have already said, the preliminary report is expected to be ready by the end of this month.

Shri N. R. Laskar: I want to know the names of the States which are practising complete prohibition now.

Mr. Speaker: Can he give the names?

Shri C. R. Pattabhi Raman: I am not able to give it.

Shri Balakrishnan: May I know whether it is a fact that the Bombay Government is considering relaxation of the prohibition policy to the big income group and also whether the Bombay Government have approached the Centre for approval?

Shri C. R. Pattabhi Raman: I have also come across reports in papers with regard to certain opinions expressed. But the fact is that all the Chief Ministers meeting after the emergency have unanimously held and opined that prohibition should continue. This study team is the third team to consider this question. We have had study teams in 1955 and 1959 before.

Shri Tulshidas Jadhav: May I know the names of the members of the team?

Shri C. R. Pattabhi Raman: Shri Tek Chand, Retired Judge of the Punjab High Court, Mr. Srikant and D. A. M. Khusro.

श्री कमल नयन बजाज: क्या मैं जान सकता हूं कि यह स्टडी टीम प्राहिबिशन के बारे में पुलिस में जो कमियां हैं उन में भी जायेगी या खाली जनरल पब्लिक के बारे में जांच करेगी ?

Mr. Speaker: He wants to know if they would go into the lapses of the police in not enforcing prohibition?

Shri C. R. Pattabhi Raman: The terms of reference are very wide and a number of items are there. But nothing prevents them from going into it.

Shri Kamalnayan Bajaj: May I know whether the study team have estimated the amount of illicit liquor manufactured in the country?

Shri C. R. Pattabhi Raman: That is one of the items under study.

Shri Sham Lal Saraf: May I know if the Government is aware that the position in regard to prohibition has become almost dubious especially in those areas where there is prohibition now and may I know if attempts are made to get this report completed as soon as possible, so that the dubiousness is removed?

Shri C. R. Pattabhi Raman: That is one of the reasons why it is being hurried up.

Shri Hari Vishnu Kamath: Has the attention of the Government been drawn to a very recent statement of the Chief Minister of Maharashtra to the effect that they propose to revise the policy of phohibition and if so, is this indicative of a new trend, after the recent debacle of the Congress Party in Goa . . .

Mr. Speaker: Order, order.

Shri Hari Vishnu Kamath: I want to know if it is indicative of any new trend in policy to merge Maharashtra, with Goa, where there is no prohibition.

Mr. Speaker: Only the first part may be answered. I do not allow the later two questions.

Shri C. R. Pattabhi Raman: I cannot deny I have seen the statement of the Chief Minister and subsequently a modification of the statement. Apart from that, as I have said, on 18th and 19th January 1963, all the Chief Ministers have met and opined that prohibition should continue.

Mr. Speaker: Only about Maharashtra he asked.

Shri Kapur Singh: May I know whether it is true that all the members of this study team are confirmed teetotallers and further they have been precluded from going into the question of the desirability or otherwise of prohibition and if so, may I know what objective value Government propose to attach to the report?

Shri C. R. Pattabhi Raman: I personally do not know whether they are all teetotallers. But nothing prevents them from gathering evidence about the *pros and cons* because the reference is very wide.

Mr. Speaker: Only drinkers must have been appointed?

Shri Kapur Singh: Some of them, Sir.

Shri P. Venkatasubbaiah: May I know whether this committee will take into consideration the report of a committee appointed by the Andhra Government by name S. V. Ramamurthi Committee recommending scrapping of prohibition in the State?

Shri C. R. Pattabhi Raman: I dare say that will also be taken into consideration by them.

Shrimati Jyotsna Chanda *rose—*

Mr. Speaker: She is also interested in prohibition?

Shrimati Jyotsna Chanda: Yes, Sir. I come from a State where prohibition is practised. May I know what measures Government want to take to stop the corruption which is increasing specially in my State of Assam, in the name of prohibition?

Mr. Speaker: It is a different question altogether.

Shri Hari Vishnu Kamath: The Minister, if I heard him aright, did not answer my question. He was referring to various States, but I asked about Maharashtra.

Mr. Speaker: He said that he has seen the report from Maharashtra to that effect.

Shri Hari Vishnu Kamath: He had seen? But is it indicative of a new trend in policy to merge Maharashtra with Goa, if not Goa with Maharashtra? He has not answered that.

Mr. Speaker: When I have disallowed it, how can he answer it? Next question.

Pakistani Infiltration

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*585. **Shri P. R. Chakraverti:**
Shri P. C. Borooah:
Shri Rameshwar Tantia:
Shri Kolla Venkaiah:
Shri Ram Sewak Yadav:
Shri Mohan Swarup:
Shri R. Barua:
Shri Rishang Keishing:
Shri Onkarlal Berwa:
Shri Jashvant Mehta:
Shri Yashpal Singh:
Shri Hari Vishnu Kamath:
Shri Vishram Prasad:
Shri Prakash Vir Shastri:

Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that Pakistan has again rejected the Indian suggestion for official level talks to discuss the question of illegal immigrants from East Pakistan into Assam and Tripura;

(b) if so, the reasons advanced by Pakistan for such rejection; and

(c) Government's reaction thereto?

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon): (a) No Sir. In their last reply, the Pakistan Government have not rejected preliminary talks at the diplomatic level, prior to any discussions that may be held on this subject, at the Ministerial level.

(b) and (c). Do not arise.

Shri P. R. Chakraverti: Has the attention of the Government been drawn to the statement made by Mr. Khurshid Ahmed, Law Minister in the Pakistan National Assembly on the 12th December, 1963 that the Government is considering enactment of law to empower the authorities to acquire and distribute lands to the deportees from India and if so, whether Government think that it is a retaliatory measure against India?

Shrimati Lakshmi Menon: This question deals with the problem of infiltration and about ministerial-level talks. As I have stated, no talks will be held till there is a preliminary talk at the diplomatic level. Now Pakistan has agreed to that.

Shri P. R. Chakraverti: Has the attention of the Government been drawn to their Law Minister's statement that they are ready to take it up with the UNO, on the ground that India does not enter into negotiations with them on the issue of deportees?

Shrimati Lakshmi Menon: But they are already entering into negotiations. So, there is no question of anybody not entering into negotiations.

Shri Tyagi: I want to know what is the matter for negotiation with Pakistan. As one sees it, immigration is not generally a Government business. It is for Government to stop on the borders any immigration. How does Pakistan come in? Are Government taking sufficient precaution to stop this immigration?

Shrimati Lakshmi Menon: This is not immigration at all. Immigration will be with the consent of the Governments concerned. This is infiltration—large masses of people going from one place to another. The hon. Member knows that the situation on the East Pakistan border is quite unique. Therefore, we cannot apply the ordinary law of immigration to this problem.

श्री शिव नारायण : क्या गवर्नमेंट बताने की कृपा करेगी कि कितने आदमी उधर से इधर आए हैं और कितने वापस गए हैं ?

Shrimati Lakshmi Menon: I have not got the figures.

Shri Swell: As the Minister has stated, Pakistan has not rejected our proposal for talks, but it has also not shown any willingness to enter into those talks. May I know whether it is in deference to the intractable and bellicose attitude of Pakistan on this

question that Government has agreed, or has laid down a policy, that tribunals will be apointed in Assam to go into the question of the cases of illegal immigrants, with the result that many Pakistani nationals who claimed themselves to be Pakistani nationals before have now retracted their statement?

Shrimati Lakshmi Menon: The reason hy Government wanted the matter to be referred to the Tribunal is to prevent any injustice being done to the immigrants, based on the police reports. In order to give them justice and also to have a very careful examination of the claims of the immigrants, Government decided that the matter will be referred to a judicial tribunal, rather than leave them to the mercy of the Police.

Shri Swell: Sir, my question has not been answered. I wanted to know whether it is a fact that a large number of Pakistani nationals have retracted their statement that they are Pakistani nationals?

Shrimati Lakshmi Menon: I have no information.

Shri Hari Vishnu Kamath: Are there reasons to believe or suspect that this problem is defying a satisfactory solution because some Muslims occupying high positions in the Secretariat, in the police and in the Ministry are not serious, or are not earnest about tackling this issue at all?

Shrimati Lakshmi Menon: It is an insinuation.

Shri Hari Vishnu Kamath: No, it is not an insinuation; it is a fact.

Mr. Speaker: Order, order. When I am trying to say something, he should listen to that. Now, it may be answered whether it is due to this fact that there are some officers who are not interested . . .

Shri Hari Vishnu Kamath: Muslim officers.

Shrimati Lakshmi Menon: It is only an insinuation; it is not a fact.

Mr. Speaker: She says it is not a fact.

Shri Hari Vishnu Kamath: She says it is an insinuation.

Mr. Speaker: Also, it is not a fact. Now Shri Hem Barua.

Shri Hem Barua: Is it not a fact that this silent invasion of India, particularly Assam and Tripura, by Pakistani nationals poses a threat to our political equilibrium? If so, is it not a fact that the constitution of the so-called tribunal is only postponing the action against the Pakistani infiltrators?

Shrimati Lakshmi Menon: I do not agree with the view that by referring the matter to a tribunal we are postponing action.

Shri Hem Barua: May I submit that she has not understood my question?

Mr. Speaker: He might sit down. He says that the appointment of these tribunals would have the effect of postponing that action which Government would have otherwise taken.

Shri Hem Barua: May I point out that Government statistics itself points out that 2,30,000 Pakistani infiltrators have entered into Assam?

Mr. Speaker: I have understood his question and have put it to the Minister.

Shri Jawaharlal Nehru: There may sometimes be some delay. But even if there is some delay, it is right for us to do it thoroughly so that nobody can take exception to it.

Shrimati Renu Chakravartty: May I know if Government's attention has been drawn to the propaganda which has been made in Ceylon on this particular question by President Ayub Khan during his visit and, if so, whether our Government or our Embassy there has made it clear to the public in Ceylon as to how we are dealing with the entire question?

Shri Jawaharlal Nehru: Yes, Government's attention has been drawn to newspaper reports of President Ayub Khan's statement in Ceylon and I presume that our High Commissio-

ner there has explained the situation to the Government there.

श्री यशपाल सिंह : क्या सरकार ने कोई तारीख निश्चित कर दी है कि उस तारीख तक सारे इनफिलट्रेटर चले जायें, वरना उन के खिलाफ कार्रवाई की जायगी ? क्या सरकार ने कोई डैड लाइन दी है ?

श्री जवाहरलाल नेहरू : जी नहीं, डेड लाइन देने का कोई सवाल नहीं है ।

Shri Nath Pai: Is the Prime Minister aware that both President Ayub Khan and Mr. Bhutto are using the present unhappy situation to malign India by stating that the infiltrators are genuine Indian Muslims, and that they are being dubbed as infiltrators in the grand plan to throw out Muslims from East Pakistan and, if so, what steps they are taking to stop this malicious and slanderous propaganda?

Shri Jawaharlal Nehru: We have read this, what he has said in the newspapers.

Shri Nath Pai: It is completely slanderous, is it not?

Shri Hari Vishnu Kamath: The latter part he has not answered.

Mr. Speaker: He has said something.

Shri Nath Pai: He simply says "we are aware of it".

Mr. Speaker: He has also said that counter-action is taken or propaganda is being made.

Shrimati Renu Chakravartty: The Prime Minister simply said "I presume it has been taken". He has not categorically or definitely said anything.

Shri Hem Barua: No practical steps have been taken in this regard.

Mr. Speaker: Is this the practical step? He should resume his seat.

श्री प्रकाशवीर शास्त्री : क्या मैं जान सकता हूं कि यह सही है कुछ दिन पहले असम सरकार के वित्त मंत्री श्री फखरुद्दीन अली अहमद दिल्ली आए थे और उन्होंने समाचारपत्रों को एक वक्तव्य देते हुए कहा कि असम में पाकिस्तान से आए हुए मुसलमानों की संख्या डेढ़ लाख के लगभग है, जब कि भारत सरकार के गृह मंत्री श्री लाल बहादुर शास्त्री ने संसद् में एक वक्तव्य दिया था जिस के अनुसार पाकिस्तान से असम में आने वाले मुसलमानों क संख्या साढ़े तीन लाख थी ? मैं जानना चाहता हूं कि इतने थोड़े से समय में इतनी घटोत्तरी हो गयी है या कि असम सरकार की यह आदत हो गयी है कि इस संख्या को घटाकर बताया जाए, और इस बारे में भारत सरकार की क्या प्रतिक्रिया है ?

श्री जवाहरलाल नेहरू : कोई बिल्कुल सही तरीके से नहीं कह सकता कि कितने लोग आए हैं ।

Shri Hem Barua: Sir, may I point out that he has stated about 2 lakhs odd.....

Mr. Speaker: Order, order. Let him finish the reply.

श्री जवाहरलाल नेहरू : मैं ने कहा कि कोई नहीं कह सकता कि कितने आदमी आए हैं । मुझे याद नहीं कि श्री लाल बहादुर शास्त्री ने इस बारे में क्या कहा था ।

श्री नाथ पाई : हमें याद है ।

श्री जवाहरलाल नेहरू : साढ़े तीन लाख कहा हो उन्होंने । लेकिन किस तरीके से वह इस गिनती पर पहुंचे मैं नहीं जानता । हो सकता है कि सैंसस के हवाले से उन्होंने ऐसा कहा हो, लेकिन सैंसस का उसूल कोई उसूल नहीं है । जब तक इस बात की पूरी सैंसस न हो ठीक गिनती नहीं मालूम हो सकती । यह नहीं हो सकता कि कहीं से साढ़े तीन लाख मुसलमानों को पकड़ कर निकाल दिया जाए ।

Shri Hem Barua: Since you have the census figures, may I know the figures?

श्री त्यागी: मैं यह जानना चाहता हूं कि इस वक्त कोई रोकथाम हो गई है या नहीं?

Shri Hem Barua: May I submit that in spite of the fact that the figures are with him, here is the Prime Minister who tells us . .

Mr. Speaker: The hon. Member may resume his seat. Let the answer be given first. Now, the hon. Member says that Government have the census figures with them.

Shri Jawaharlal Nehru: The last census?

Shri Hem Barua: You have the figures with you. You forget that conveniently.

Mr. Speaker: Order, order.

Shri Jawaharlal Nehru: We have got the census figures. They might have some relevance but no direct relevance to this question. We cannot say who is who and what. Therefore, it has been decided that the tribunal should be appointed to determine who is who.

Shri Hem Barua: The tribunal would take another fifty years to decide it. By that time, they will go on multiplying the number.

Mr. Speaker: Order, order. The hon. member cannot go on in this manner. He has put the question.

Shri Hem Barua: Sir, on a point of personal explanation.

Mr. Speaker: When I am standing, he cannot put questions in this manner.

Shri Hem Barua I want to give a personal explanation.

Mr. Speaker: Unless he has some patience, I will not allow him an opportunity. Now, let him resume his seat.

श्री प्रकाशवीर शास्त्री: मेरे प्रश्न का उत्तर भी दिलवा दीजिए ।

अध्यक्ष महोदय: ठहर जाइए, उनका परसोनल एक्सप्लेनेशन क्या है यह देख लें ।

Shri Hem Barua: The Prime Minister has stated that he does not have the figure with him. Earlier, our difficulty was that the census figures were not available. Now, that they are available, he says that a tribunal is being appointed. I say that the tribunal will take another 50 years to determine the case of the illegal Pakistani infiltrants. By that time, these people would multiply their number and we will be swarmed. That is what I was trying to point out.

Mr. Speaker: Is this a personal explanation?

Shri Hem Barua: Yes, this is the personal explanation.

Mr. Speaker: No, not at all. Personal explanation arises only when he is misquoted. Then he can explain that what he has said is not this but something else. Now he is bringing in arguments and supplying facts, which is no personal explanation at all.

Mr. Speaker: Shri Chaturvedi.

Shri Prakash Vir Shastri rose—

Mr. Speaker: I have called Shri Chaturvedi.

श्री प्रकाशवीर शास्त्री: मैं आपका संरक्षण चाहता हूं ।

अध्यक्ष महोदय: आप बैठ जाएं, मैं आपको मौका दे दूंगा । इस तरह इंटरप्ट न करें ।

Shri S. N. Chaturvedi: How long are these tribunals going to take in determining the nature of the immigrants at the pace at which they are proceeding at present?

Shri Jawaharlal Nehru: The question is a very important one to determine the nationality of a person, whether he is a national of India or of Pakistan. To leave it merely to

police inquiry is not quite sufficient—it is not fair. (*Interruption*).

Shri Hem Barua: No Indian national is to be arrested. That does not mean that he should be given shelter. (*Interruption*).

Mr. Speaker: Order, order. We know that he has come from that place. But he is proving more trouble some for the House.

Shri Jawaharlal Nehru: I do not know what the hon. Member wants.

श्री प्रकाशवीर शास्त्री : मेरा प्रश्न बहुत स्पष्ट है। असम सरकार के फूड एंड सप्लाईज मिनिस्टर श्री फखरुद्दीन अली अहमद ने जब वह दिल्ली आए थे यह स्पष्ट वक्तव्य दिया था कि असम में केवल ढेढ़ लाख पाकिस्तानी आए हैं जब कि भारत सरकार के गृह मंत्री श्री लाल बहादुर शास्त्री ने संसद में वक्तव्य दिया था कि साढ़े तीन लाख पाकिस्तानी वहां से आए हैं। मैं जानना चाहता हूं कि क्या इतने थोड़े से समय में इतनी बढ़ोतरी हो गयी या असम सरकार के फिन मंत्री ने यह संख्या कम करके बतायी है। सरकार ने इस सम्बन्ध में क्या जानकारी ली है? मैं या भारत सरकार की प्रतिक्रिया जानना चाहता हूं।

श्री जवाहरलाल नेहरू : जाहिर है कि इसके बारे में असम सरकार की ज्यादा जानकारी होगी।.....

Shri Hem Barua: The Assam Government is failing hopelessly in this matter. I may tell you that.

Shri Jawaharlal Nehru: May be failing; they are proceeding according to law and the hon. Member.... (*Interruption*).

Mr. Speaker: Order, order. How can we proceed like this?

Shri Hem Barua: He is having a very inefficient Government there.

Shri Nath Pai: Mr. Shastri is not proceeding according to law?

Mr. Speaker: It should not be that all kinds of interruptions should go on and a running commentary should take place. I have asked the hon. Member three or four or five times.... (*Interruption*). They have other remedies, not this one.

Shri Nath Pai: We thought the Home Minister also goes according to law.

U.N. Special Fund

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*586. { **Shri Raghunath Singh:** / **Shri Maheswar Naik:** / **Shri Mohan Swarup:** }

Will the **Prime Minister** be pleased to state:

(a) whether India has pledged to contribute three million dollars towards U.N. Special Fund and Expanded Programme of Technical Assistance;

(b) if so, on what considerations; and

(c) the manner in which the fund is made use of and the benefit that accrues to the contributing countries?

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon): (a) to (c). A statement is placed on the Table of House.

STATEMENT

India has pledged $ 3 million in Indian rupees as her contribution to the U.N. Special Fund and the Expanded Programme of Technical Assistance for the year 1964.

The Expanded Programme of Technical Assistance and the Special Fund started functioning from 1st July, 1950 and 1st January, 1959 respectively. As the finances of the Special Fund and the Expanded Programme of Technical Assistance derive from voluntary contributions by Member States, the success of their operations is bound to be

largely determined by the willingness and capacity of Member States to meet the costs. Owing to the difficult foreign exchange position, the Government of India have been making their contribution in non-convertible rupees.

In recognition of the growing needs of the developing countries for technical training and expert assistance, which India is in a somewhat better position than many others to provide, India considered it right and proper to carry out her obligations and to share the common responsibility, as best as she could. It is now generally recognised that apart from technical assistance the economically developed countries can provide, the underdeveloped countries have a lot to gain by sharing know-how and experience with each other, especially as they have common problems in many cases.

With one or two exceptions, all the 74 countries receiving assistance are also contributing funds in respect of these Programmes. Countries like the U.S.A. and the U.K., which make substantial contributions, are not receiving any assistance at all. India's contribution is the eighth largest but, on the other hand, she is, in absolute terms, though not on per capita basis, the recipient of the largest assistance given by the Fund to any single country so far.

Under these Programmes, requests from member-countries are considered for assistance to undertake large-scale surveys of natural resources, establishment of major training institutions, and development of research facilities with the object of laying the foundation for investment by national, intergovernmental or private bodies. Projects costing from $250,000 to several million dollars to give technical assistance for the duration of a project ranging upto five years may be undertaken. Thus, the Special Fund and the Expanded Programme of Technical Assistance are playing an important part in stimulating the growth of the developing countries by providing sorely needed technical and expert assistance in various fields.

श्री रघुनाथ सिंह : संयुक्त राष्ट्र संघ के द्वारा जो कार्य हो रहा है, इससे भारतवर्ष को क्या लाभ हो रहा है ?

Shrimati Lakshmi Menon: We are getting all kinds of assistance out of this Fund. In fact, during 1963 and, 1964, for instance, we got assistance of 7,641,799 and 3,857,600 million dollars.

Shri Bhagwat Jha Azad: May I know, apart from the monetary help received from this Special Fund, what kind of help are we getting in the programme of technical assistance from the Special Fund?

Shrimati Lakshmi Menon: This assistance is really in the form of technical aid.

Shri D. C. Sharma: It has been stated in the statement that there are about 74 countries contributing to this Fund. May I know whether we are giving any technical or expert assistance to any of these countries directly or is it that all our assistance is being routed through these countries or some of these countries or through the U.N.?

Shrimati Lakshmi Menon: All the assistance that we give under this programme is through the United Nations. But, of course, we have bilateral agreements with other countries. We give technical assistance to other countries.

Research Laboratory at Gulmarg

*587. **Shri Raghunath Singh:** Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that a giant telescope will be installed at 8000-feet high research laboratory at Gulmarg in Jammu and Kashmir State; and

(b) if so, the broad outlines of the proposal?

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi

Menon): (a) There is at present no proposal to instal a large telescope at the High Altitude Research Laboratory at Gulmarg.

(b) Does not arise.

श्री रघुनाथ सिंह : गुलमर्ग में चाहे न हो, लेकिन और कहीं हिन्दुस्तान में इस प्रकार की लैबोरेटरी स्थापित करने का कोई कार्यक्रम है क्या ?

प्रधान मंत्री वैदेशिक-कार्य मंत्री तथा अणुशक्ति मंत्री (श्री जवाहरलाल नेहरू : ऐसी किसी जगह नहीं जो गुलमर्ग जैसी ऊंची हो ।

श्री रघुनाथ सिंह : इसकी स्थापना के बारे में और कोई ऐसा कार्यक्रम है, यह मैं जानना चाहता हूं ?

अध्यक्ष महोदय : "ऐसा" से मुराद इतनी ऊंचाई पर या सी किस्म की, से है । उन्होंने फरमाया है कि इतनी ऊंची और कोई जगह पर नहीं है ।

Shri Kapur Singh: May I know what is going to be the diameter of the lens of this telescope and how would it compare with.... (*Interruption*) Why? It is an important question. May I know what is going to be the diameter and how would it compare with the largest telescope in the U.S.A. and U.S.S.R.?

Mr Speaker: There is none that is going to be put up. Next Question.

Shri Kapur Singh: Is there no information available?

Mr. Speaker: There is none that is going to be put up. Whose diameter should I ask? Next Question.

Cheap Grain Shops

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*588. **Shri S. M. Banerjee:**
Shri Indrajit Gupta:
Shri Umanath:
Shri Tridib Kumar Chaudhuri:
Shri P. C. Borooah:
Shri Sudhansu Das:
Shri Subodh Hansda:
Shrimati Renu Chakravertty.

Will the Minister of **Labour and Employment** be pleased to state:

(a) whether it is a fact that the tripartite decision of the 5th August, 1963 to open cheap grain shops in all establishments employing 300 or more workers remains largely non-implemented;

(b) if so, whether this is due to the refusal by employers to honour their commitment; and

(c) Government's reaction in the matter?

The Deputy Minister in the Ministry of Labour and Employment (Shri R. K. Malviya): (a) In addition to 1213 consumers' co-operative stores, there are at present 349 fair price-shops operating for industrial workers.

(b) and (c). Not all the industrial establishments employing more than 300 workers each who should have opened fair price shops, have done so yet. This is being further pursued with them and with the associations of employers and State Governments and will also be discussed at the forthcoming meeting of the Standing Labour Committee to be held on 27th and 28th December, 1963.

Shri S. M. Banerjee: I would like to know whether the cheap grain shops have been started in all the public sector projects and, if not, what is the difficulty?

Shri R. K. Malviya: At present, the position is that in public sector there are 389 establishments each having more than 300 workers. Out of this, 291 societies plus 70 branches of the main stores have been opened in the public sector.

Shri S. M. Banerjee: I would like to know whether the Central Government would supply cheap grains through the Food Ministry at a subsidised rate and, if so, whether any

arrangement has been made to have a regular supply of foodgrains at subsidised rates to these industrial undertakings.

Shri R. K. Malviya: There is no question of subsidy. But they are sold at the wholesale prices. Upto this time, there are 131 whole-sale stores which are supplying foodgrains to about 2046 co-operative stores and fair price shops.

Shrimati Renu Chakravartty: The question is about the cheap grain shops. May I know whether it is a fact that in one of the biggest industries in India, for example, jute, there is not a single cheap grain shop which has been opened after all these statements have been made by the Central Government and may I know what Government propose to do in order to expedite it

Shri R. K. Malviya: The jute mills association has said that there are quite a number of fair price shops in the jute mill areas and no fresh shops are necessary.

Shrimati Renu Chakravartty: What is Government's opinion? That was my question?

Shri Nambiar: May I know whether these Central Government undertakings include Railways for the purpose of opening the cheap grain shops?

Shri R. K. Malviya: Yes Sir, Railways have got many shops. I will give the figures also.

Mr. Speaker: They are not needed; they are not asked.

Shri Vasudevan Nair: The hon. Minister has stated in reply to Shrimati Renu Chakravartty's question that according to the jute mills association there are enough shops. May I know whether the Government made a real inquiry into it and whether the Government was satisfied that there were enough cheap grain shops or does it believe in the statement of the jute mills association?

Shri R. K. Malviya: The cheap grain shops are not under contemplation. It is the fair price shops which are being opened.

श्री यशपाल सिंह : रूरल एरियाज में जहां बीस बीस मील तक कोई गल्ला नहीं मिल रहा है, वहां पर चीप ग्रेन शाप्स खोलने का सरकार का कब तक विचार है ?

अध्यक्ष महोदय : यह दूसरा सवाल है यह सप्लेमेंट्री नहीं है ।

Shri S. M. Banerjee: On a point of order, Sir.

Mr. Speaker: Yes. What is his point of order?

Shri S. M. Banerjee: My point of order is this . . .

Mr. Speaker: But I must warn the hon. Member that the raising of points of order that are not points of order at all is not desirabie.

Shri S. M. Banerjee: Sometimes, that applies and you may be angry with others, but why should you be angry with me?

Mr. Speaker: Because he raises too many points of order.

Shri S. M. Banerjee: I have raised only 27 points of order during the last seven years.

Mr. Speaker: During those seven years, out of the 27 points of order, how many have been allowed? I am sure that not even three would have been allowed. Now, let us hear the 28th one.

Shri S. M. Banerjee: My point of order is this. The main question which has been admitted relates to cheap grain shops, about which a decision had been taken at the tripartite meeting. But the hon. Minister says now that there are not cheap grain shops but fair price shops. The idea of the cheap grain shops was that Government should subsidise them in order to help the employees to meet the

rising cost of living. My point of order is this. The question which has been admitted relates to cheap grain shops. So, the hon. Minister should say whether there are cheap grain shops. He should not mention other things.

Mr. Speaker: Even if there are no cheap grain shops, he must say that some have been opened?

Shri Nambiar: He must say 'No'.

Mr. Speaker: That is what he says.

Shri S. C. Samanta: May I know whether there is any legal provision to ensure the implementation of this decision of the tripartite conference?

Shri R. K. Malviya: No Sir, there is no legal provision. This was a decision take at the tripartite conference.

Shrimati Savitri Nigam: May I know whether Government have received any complaint to the effect that the supply in these cheap grain shops is not regular?

Shri R. K. Malviya: Where there is a complaint, it is looked into.

WRITTEN ANSWERS TO QUESTIONS

Indians in Burma

*583. **Dr. L. M. Singhvi:** Will the **Prime Minister** be pleased to state:

(a) whether any person or persons of Indian origin are still being detained in Burma for violation of citizenship and/or domicile laws;

(b) whether the Government of India have taken any steps to secure human treatment and proper legal status for such persons in Burma; and

(c) if so, the result thereof?

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon): (a) Some persons of Indian origin who are under orders of deportation from Burma or have committed offences under the Burmese immigration or registration laws are in detention in that country.

(b) and (c). No cases of inhuman treatment have come to the notice of the Government of India. The Embassy of India, Rangoon, renders all possible assistance to such persons in the matter of issue of travel documents and investigation of complaints.

Trespassing of Pakistanis into Tripura

*589. **Shri D. C. Sharma:**
Shri Bishanchander Seth:
Shri Chattar Singh:
Shri B. P. Yadava:
Shri Dhaon:
Shri S. N. Chaturvedi.
Shri P. C. Borooah:
Shri Rishang Keishing:
Shri Balkrishna Wasnik:
Shri Yashpal Singh:
Shri P. K. Ghosh:
Shri Gulshan:
Shri Solanki:
Shri P. H. Bheel:
Shri N. R. Laskar:
Shri Ramachandra Ulaka:
Shri Surendranath Dwivedy:

Will the **Prime Minister** be pleased to state:

(a) whether Pakistanis have infiltrated into the disputed 30-mile territory between Tripura and East Pakistan along the Feni river and tried to collect taxes forcibly from the villages in the region;

(b) whether a protest note has been lodged with Pakistan Government; and

(c) if so, the nature of reply received and the action proposed to be taken in the matter?

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon): (a) Yes, Sir. It has been reported that Pakistanis are collecting the "gharchukti" tax from the residents of an area at the headwaters of the River Fenny, about which there is some dispute; the area lies along the

Tripura-East Pakistan border. Taxes are being collected by Pakistan, in contravention of border agreements.

(b) and (c). The Tripura Government have protested to the East Pakistan authorities and have asked for a meeting between the officials of Tripura and East Pakistan. There has been no response from Pakistan to this proposal for a meeting of revenue officials of the two sides.

Non-Official Price Intelligence Service

*590. **Shri Bibhuti Mishra:** Will the Minister of **Planning** be pleased to state:

(a) whether it is a fact that a new agency called non-official price intelligence service has been sponsored by the Planning Commission;

(b) if so, the main lines of activities and the purpose of this agency; and

(c) the achievements made by the agency?

The Deputy Minister of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman): (a): Yes, Sir.

(b) and (c). A Statement is placed on the Table of the House. [*Placed in Library, See* No. LT-2124/63].

Anti-Indian Propaganda by Chinese

*591. **Shri Hari Vishnu Kamath:** Will the Minister of **Information and Broadcasting** be pleased to refer to the reply given to Starred Question No. 2 on the 18th November, 1963 and state:

(a) whether steps have been or are being taken to counter the ceaseless propaganda offensive by powerful Chinese transmitters on the Himalayan border;

(b) if so, the details thereof; and

(c) if not, the reasons therefor?

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): (a) and (b). The power of transmitters at Gauhati and Kurseong has been raised to make their service more effective in the areas around them. Radio Stations with 1 kw mediumwave transmitters have been established at Kohima and Imphal. The power of the transmitter at Srinagar has been raised. It is also proposed to set up a high power mediumwave transmitter at Simla. New services in NEFA—Assamese, Ladakhi and a service for troops—have also been started.

For strengthening shotwave broadcasts from Delhi, two high power shortwave transmitters have been set up and two more are under installation. Under the Third Plan, provision has been made for the installation of five more high power shortwave transmitters in Delhi to augment AIR's External Services.

In addition to the above, proposals for installation of a few more powerful transmitters are also under consideration of Government.

The pattern of AIR's programme has also been recast. A large number of talks, features and newsreels have been introduced with a view *inter alia* to explaining different aspects of the situation, providing the latest information and countering false progaganda by the Chinese.

(c) Does not arise.

तारापुर अणुशक्ति केन्द्र

५९२. **श्री वसवन्त** : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) तारापुर अणुशक्ति केन्द्र के कब तक चालू हो जाने की संभावना है ;

(ख) क्या स केन्द्र म पैदा होने वाली बिजली के वितरण का प्रश्न कुछ समय से विचाराधीन है ; और

(ग) यदि हां, तो क्या निर्णय लिया गया है ?

वैदेशिक-कार्य मंत्रालय में राज्य मंत्री (श्रीमती लक्ष्मी मेनन) : (क) तारापुर अणुशक्ति केन्द्र के सन् १९६७ के अन्तिम भाग में चालू हो जाने की सम्भावना है ;

(ख) और (ग). इस केन्द्र में पैदा होने वाली बिजली गुजरात तथा महाराष्ट्र राज्यों को समान अनुपात से दी जायेगी ।

Relief to the Unemployed

*593. **Shri K. N. Pande:** Will the Minister of **Labour and Employment** be pleased to state:

(a) whether it is a fact that his Ministry have set apart some fund to give relief to the unemployed workers; and

(b) if so, how the fund is being utilized at present and to what extent the workers have got relief out of this fund?

The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman): (a) A provision of Rs. 2 crores has been made in the Third Five Year Plan for the setting up of an Unemployment Relief Fund.

(b) The details of the same are being worked out.

Central Wage Board for Coal Mining

*594. **Shrimati Renu Chakravartty:** Will the Minister of **Labour and Employment** be pleased to state:

(a) whether it is a fact that the Central Wage Board for Coal Mining refused permission to the Indian Mine Workers Federation and Coal Workers Union for making oral submission during the Board's visit at Ranchi on the 5th November, 1963;

(b) if so, the reasons therefor;

(c) whether it is also a fact that other workers' organisations were allowed to make oral submission; and

(d) if so, the reason for this discrimination?

The Deputy Minister in the Ministry of Labour and Employment (Shri R. K. Malviya): (a) to (d). The Board had informed the Indian Mine Workers' Federation and the Coal Workers' Union that their representatives would be heard at Dhanbad from the 8th to 10th November, 1963, as there may not be sufficient time at Ranchi. The Board subsequently found time for hearings at Ranchi also and the representatives of the Coal Workers' Union and some other unions were heard.

The representative of the Indian Mine Workers' Federation appeared before the Board at Dhanbad on the 9th November, 1963, but stated that he did not wish to supplement the oral submissions already made by his Federation in Calcutta in August, 1963.

Assistant High Commissioner for India in Rajshahi

*595. **Shri Jashvant Mehta:**
Shri Yashpal Singh:
Shri Hari Vishnu Kamath:
Shri Vishram Prasad:
Shri Prakash Vir Shastri:
Shri D. C. Sharma:
Shri P. C. Borooah:

Will the **Prime Minister** be pleased to state:

(a) whether any reply has been received to the protest lodged with the Pakistan Government over the closure of the office of the Assistant High Commissioner of India in Rajshahi in East Pakistan; and

(b) if so, the contents thereof and the reaction of the Government of India thereto?

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon): (a) Yes Sir. In a note handed over to our High Commission, the Pakistan Government have informed us that they cannot reconsider their demand for the closure of our Rajshahi Office.

(b) Texts of the notes exchanged with the Government of Pakistan on this subject, so far, are placed on the Table of the House. [*Placed in Library. See* No. LT-2125/63]. Further steps that we might take in the matter are under consideration.

Enquiry into Helicopter Crash

*596. **Shrimati Sharda Mukerjee:**
Shri Morarka:
Shri Jashvant Mehta:
Shri Vishram Prasad:
Shri Yashpal Singh:
Shri Hari Vishnu Kamath:
Shri Prakash Vir Shastri:

Will the Minister of **Defence** be pleased to state:

(a) whether the court of inquiry investigating into the Helicopter crash which occurred near Poonch on the 22nd November, has completed its work; and

(b) if so, the findings thereof?

The Minister of Defence (Shri Y. B. Chavan): (a) Yes, Sir.

(b) A statement is laid on the Table of the House. [*Placed in Library. See* No. LT-2126/63].

Atomic Energy Eestablishment, Trombay

*597. **Shri H. N. Mukerjee:** Will the **Prime Minister** be pleased to state:

(a) whether our universities have begun to take advantage of the offer of facilities regarding trained personnel and specialised instruments made by the Atomic Energy Establishment at Trombay;

(b) if so, to what extent; and

(c) whether the Central Government propose to take any initiative in this regard?

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon): (a) The Department of Atomic Energy and the Atomic Energy Establishment Trombay have been assisting the universities in India in several ways in order to improve their teaching and research standards and to expand the research facilities. The following steps have been taken for the purpose:

(i) Grant of scholarships to undergraduate and post-graduate students in all the universities;

(ii) Grants-in-aid for specified research projects;

(iii) Grant of fellowships awarded to post-graduate students for higher research;

(iv) Sale of specialised electronic instruments made by the Atomic Energy Establishment Trombay;

(v) Free supply of electronic instruments for work on approved research projects;

(vi) Refresher courses for university teachers in nuclear physics and electronics and nuclear chemistry;

(vii) Organisation of training courses in the use of radioisotopes and operation of electronic instruments;

(viii) Provision of facilities to university teachers to work with the reactors and other specialised equipment available at the Trombay Establishment.

(b) The response from the universities has been fairly satisfactory.

(c) The question of making available to the universities young scientists trained in the Training School of the Trombay Establishment in physics, chemistry, mechanical, chemical, electrical and communication engineering and metallurgy, has already been taken up with the University Grants Commission. The Commission has welcomed the proposal and is bring-

ing the offer to the notice of the universities.

Further, proposals to assist the universities by sparing the services of not only individuals, but teams of workers who could form the nucleus for work in a particular scientific line and help to train the university staff and students and raise the level of research are under consideration.

करनाल के निकट विमान-दुर्घटना

*५९८. श्री ओंकारलाल बेरवा :
श्री प्रकाशवीर शास्त्री :
श्री बागड़ी :
श्री उटिया :
डा० मा० श्री अणे :

क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि ३ दिसम्बर, १९६३ को थानेश्वर स्टेशन के पास करनाल में एक विमान दुर्घटनाग्रस्त हो गया था;

(ख) यदि हां, तो इस से धन जन की कितनी हानि हुई थी; और

(ग) विमान दुर्घटना के क्या कारण हैं ?

प्रतिरक्षा मंत्री (श्री यशवन्तराव चह्वाण) : (क) जी, हां ।

(ख) चालक जो कि केवल अकेला बैठा था, मारा गया तथा विमान नष्ट हो गया ।

(ग) वायु सेना के नियमों के अन्तर्गत एक कोर्ट आफ इन्क्वायरी नियत कर दी गई है । कोर्ट आफ इन्क्वायरी की रिपोर्ट आने पर ही दुर्घटना के कारण का पता चलेगा ।

New Job for Shri R. K. Nehru

*598-A. **Shri Himmatsinhji:**
Shri Solanki:
Shri P. H. Bheel:

Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that **Shri** R. K. Nehru has been assigned a **new** job after retirement;

(b) whether he had been given **extension** twice or thrice before that; and

(c) whether any other officer has received such concession?

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon): (a) Yes. Shri R. K. Nehru has been appointed Chairman, Preparatory Committees of the Government of India for the U.N. Conference on Disarmament and U. N. Trade and Development Conference.

(b) He was given 3 extensions of one year each.

(c) Similar extensions have been given in the past. For instance, Shri N. R. Pillai who preceded Shri R. K. Nehru as Secretary-General, was granted extensions covering a period of 2½ years. The new Secretary-General, Shri M. J. Desai is now on a year's extension.

Missing Army Personnel

***599. Shri P. C. Borooah:** Will the Minister of **Defence** be pleased to state:

(a) whether a new procedure has been evolved for confirming the death of army personnel reported missing or believed to be dead or killed; and

(b) if so, the modifications effected in the relevant procedure?

The Minister of Defence (Shri Y. B. Chavan): (a) and (b). According to the old instructions, the death of a missing person was to be presumed

nine months from the date following that on which he was reported missing in operations. This period has now been reduced to six months.

Sugar Industry

***600. Shri K. N. Pande:** Will the Minister of **Labour and Employment** be pleased to state:

(a) whether it is a fact that although sugar is an item of food, while classifying industries under the head 'Food and Drink', the sugar industry has been excluded from it by his Ministry.

(b) if so, whether this has deprived the workers employed in sugar industry from being represented in the I.L.O. industrial committee under the classification 'Food and Drink'; and

(c) the reasons for the exclusion of sugar industry from the classification of 'Food and Drink'?

The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman) (a) No. Except for the purpose of annual verification of membership of trade unions affiliated to the four Central Trade Union Organisations, 'Food & Drinks' and 'Sugar' industries have not been classified under separate heads.

(b) No.

(c) Does not arise.

Pay Strike in Kalipahari Colliery West Bengal

***601. { Shrimati Renu Chakravartty: Shri Indrajit Gupta:**

Will the Minister of **Labour and Employment** be pleased to state:

(a) whether it is a fact that the workers of Kalipahari Colliery, West Bengal are on pay strike since middle of October, 1963;

(b) the reasons for this; and

(c) the steps taken by Government to settle the dispute?

The Deputy Minister in the Ministry of Labour and Employment (Shri R. K. Malviya): (a) Forty-nine workmen out of about 750 refused to take payment of their wages only for the week ending the 12th October, 1963.

(b) The reduction of the tub-pushing allowance in No. 2 Pit of the Colliery from 62 nP. to 19nP. is stated to be the main reason.

(c) The parties have jointly referred the dispute to arbitration by the Regional Labour Commissioner (Central), Calcutta.

आकाशवाणी का समाचार विभाग

***६०२. श्री प्रकाशवीर शास्त्री :** क्या **सूचना और प्रसारण** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि आकाशवाणी का समाचार विभाग पी० टी० आई० की सेवायें लेता है;

(ख) यदि हां, तो समाचारों के बदले में पी० टी० आई० को किस आधार पर धन दिया जाता है;

(ग) क्या सरकार किसी हिन्दी समाचार एजेंसी को भी इस प्रकार की सहायता दे रही है; और

(घ) यदि हां, तो वह एजेंसी कौन सी है तथा उस को कितनी सहायता दी गई है ?

संसद-कार्य मंत्री (श्री सत्य नारायण सिंह) : (क) जी, हां ।

(ख) पी० टी० आई० को १९६२–६३, ६३–६४, ६४–६५, ६५–६६ और ६६–६७ के वर्षों में क्रमशः ९.९ लाख रु०, १०.३८ लाख रु०, १०.८६ लाख रु०, ११.३४ लाख रु० और ११.८२ लाख रु० दिये जायेंगे । यह रकम इस धारणा पर आधारित है कि

इन में प्रत्येक वर्ष के आरम्भ में रेडयो लाइसेंसों की संख्या क्रमशः २३, २४.६, २६.२, २७.८ और २९.४ लाख हो जायेगी । १-४-६७ से आग पी० टी० आई० को क्या दिया जाये, यथा समय इस पर पुनर्विचार किया जायेगा ।

(ग) आकाशवाणी किसी भी हिन्दी समाचार एजेन्सी से खबरें नहीं ले रही है ।

(घ) सवाल नहीं उठता ।

Anti-Indian Chinese Literature in Cairo

*603. **Shri D. C. Sharma:**
Shri Bishanchander Seth:
Shri Bhagat:
Shri B. P. Yadava:
Shri U. M. Trivedi:
Shri Onkar Lal Berwa:

Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that thousands of copies of Chinese propaganda booklets on the Sino-Indian border dispute have been circulated in Cairo on the eve of the Chinese Premier's visit to the U.A.R.; and

(b) if so, the reaction of Government of India thereto?

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon): (a) We are informed that the Press reports indicating wide scale of dissemination of anti-Indian propaganda are completely unfounded.

The U.A.R. Government, quite rightly, do not permit any foreign embassy in Cairo to carry on a propaganda campaign against a friendly country. We are confident that they will take appropriate action, should it become necessary.

(b) Does not arise.

Atomic Power

*604. **Shri H. N. Mukerjee:** Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that atomic power is cheaper than thermal power in certain areas of the country; and

(b) whether in the coming decade it would be expedient to place greater reliance on nuclear than on conventional power?

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon): (a) Atomic power is expected to be cheaper than thermal power in certain areas of the country.

(b) Nuclear power is expected to supplement conventional power during the next decade.

Industrial Truce at Marmagoa Dock

*605. **Shri P. C. Borooah:** Will the Minister of **Labour and Employment** be pleased to state:

(a) whether a three-year industrial truce has been signed recently between the Transport Dock Workers' Union with Marmagoa Stevedores' Association;

(b) if so, the terms of the agreement; and

(c) the cause of the dispute?

The Deputy Minister in the Ministry of Labour and Employment (Shri R. K. Malviya): (a) Yes, on the 9th November, 1963.

(b) The important terms of the agrement are:

(i) the working hours for the gang labour shall be 8 hours per shift from January 1, 1964;

(ii) the rates of wages shall be Rs. 3|32 for the first 'hajeri', Rs. 3|50 for the second 'hajeri' and Rs. 3|70 for the third and subsequent 'hajeries';

(iii) the existing 'hajeries' per barge shall be maintained upto 31st December, 1963. A fixation of a fair and reasonable 'hajeri' based on a study of averages of the existing

barge tonnages will be fixed by an Arbitrator subject to a maximum of 80 tons. The standard 'hajeri' arrived at by the Arbitrator will be uniformly applicable to all gang workers. The award will be given as far as possible by 31st December, 1963 and the Arbitrator mutually agreed upon is Shri P. J. Fernandes, Chief Secretary to the Government of Goa, Daman and Diu, whose decision will be final and binding on both the parties.

(iv) the minimum number of calls per month shall be 15 days provided the workers attend regularly except in case of authorised absence;

(v) the rate of attendance allowance shall be Rs. 1.25 nP.

(vi) annual leave with pay shall be given @ one day for every 20 reported days;

(vii) the present medical assistance and other existing facility shall continue;

(viii) the Gang Workers shall be entitled to four paid holidays viz., Independence Day, Republic Day, Gandhi Jayanti Day and Goa Liberation Day. However, the Unions may choose as paid holiday 1st May in substitution of either Gandhi Jayanti or Goa Liberation Day, provided 1st May is declared as one of the Port Holidays;

(ix) establishment of a grievance procedure;

(x) prohibition of strike, go-slow and lock-out during the operation of the agreement; and

(xi) no demand involving financial liability is to be made during the period of the agreement.

A copy of the agreement has been sent to the Parliament Library.

(c) Non-acceptance of demands by Marmagoa Stevedores' Association.

Ex-Indian National Army Men

*606. **Shri D. C. Sharma:**
Shri H. C. Soy:

Will the Minister of **Defence** be pleased to state:

(a) whether the ex-Indian National Army men were categorised as Black, Grey and White for doling out the credits of pay due to them amounting to Rs. 1.50 crores forfeited by Government; and

(b) if so, the steps taken or proposed to be taken to remove this discrimination and releasing all the residual amount for doling out of relief?

The Minister of Defence (Shri Y. B. Chavan): (a) and (b). A statement is laid on the Table of the House. [*Placed in Library. See* No. LT-2227/63].

H.A.L. Employees

1648. **Shri Rama Chandra Mallick:** Will the Minister of **Defence** be pleased to state:

(a) the total number of employees working under the Hindustan Aircraft Limited at Bangalore at present; and

(b) the number of employees among them belonging to Scheduled Castes, Scheduled Tribes and other Backward Classes?

The Minister of Defence Production (Shri K. Raghuramaiah): (a) 21,530 (As on 15th November 1963) as were recruited at Bangalore but some of them are working at HAL's branches elsewhere.

(b)

Scheduled Casts—1793 } As on 15th
Scheduled Tribes—56 } November, 1963

In absence of particulars of 'other Backward Classes' the hon'ble member has in view, it is difficult to furnish this information.

Cheap Grain Stores in Asansol-Raniganj Coal Belt

1649. { **Shri Indrajit Gupta:** **Shrimati Renu Chakravartty:**

Will the Minister of **Labour and Employment** be pleased to state:

(a) the number of cheap grain stores opened in the coal mines of Asansol|Raniganj area as per the Delhi tripartite decision of 5th August, 1963;

(b) whether representations have been received from the workers of Bankola, Girimint, Adjoay II and other collieries explicitly praying for opening of such stores; and

(c) Government's reaction to such representations?

The Deputy Minister in the Ministry of Labour and Employment (Shri R. K. Malviya): (a) The information is being collected.

(b) No.

(c) Does not arise.

Gwalior Research Laboratory

1650. Shrimati Vijaya Raje Scindia: Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that Central Government have taken over Gwalior Research Laboratory from the State Government;

(b) if so, since when; and

(c) the steps taken to improve it?

The Minister of Defence Production in the Ministry of Defence (Shri K. Raghuramaiah): (a) Yes, Sir.

(b) With effect from 7th November 1963.

(c) The Applied Chemistry and High Polymer Division of Defence Research Laboratory (Materials) Kanpur is being transferred to Jiwaji Industrial Research Laboratory, Gwalior. It is also proposed to allot new research projects to them.

दिल्ली में साम्यवादी दल के जलूस सम्बन्धी समाचार-चित्र

१६५१. **श्री सिद्धेश्वर प्रसाद :** क्या **सूचना और प्रसारण** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि साम्यवादी दल के प्रदर्शनों के सम्बन्ध में जो न्यूज रील बनी थी उस के सम्बन्ध में जांच कराई जा रही है;

(ख) यदि हां, तो क्या जांच की रिपोर्ट प्राप्त हो गई है;

(ग) यदि हां, तो उसकी मुख्य बातें क्या हैं; और

(घ) इस पर सरकार क्या कार्यवाही करने का विचार कर रही है ?

संसद्-कार्य मंत्री (श्री सत्य नारायण सिंह) : (क) जी, नहीं। केवल वास्तविक तथ्य जानने के लिए, सम्बन्धित अफ़सरों से स्पष्टीकरण लिये गये हैं।

(ख) और (ग). सवाल नहीं उठता।

(घ) स्पष्टीकरण विचाराधीन हैं।

परमवीर चक्र

१६५२. **श्री तन सिंह :** क्या **प्रतिरक्षा** मंत्री यह बताने की कृपा करेंगे कि :

(क) चीनी आक्रमण के समय हमारे जिन तीन सैनिक अफसरों को परमवीर चक्र दिये गये हैं उन की आक्रमण के समय क्या क्या तनख्वाहें थीं;

(ख) परमवीर चक्र दिये जाने के बाद अब तक उन्हें या उनके आश्रितों को क्या-क्या आर्थिक व अन्य सहायता दी गई है; और

(ग) उनके परिवारों को क्या मासिक पेंशन दी जा रही है और कब तक ऐसी सहायता दी जायेगी ?

प्रतिरक्षा मंत्री (श्री यशवन्तराव चह्वाण): (क) से (ग). एक विवरण सभा पटल पर रखा गया है । [पुस्तकालय में रखा गया। देखिये संख्या एल टी-२१२७।६३]

प्रादेशिक सेना सलाहकार समिति

१६५३. श्री सिद्धेश्वर प्रसाद : क्या **प्रतिरक्षा** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि प्रादेशिक सेना के लिये एक केन्द्रीय सलाहकार समिति बनाई गई है;

(ख) यदि हां, तो इस समिति के मुख्य कार्य क्या होंगे; और

(ग) समिति के सदस्यों के नाम क्या है ?

प्रतिरक्षा मंत्री (श्री यशवन्तराव चह्वाण) : (क) जी, हां । इस समिति का पुनर्गठन ८ नवम्बर, १९६३ को हुआ था।

(ख) इस समिति का काम आमतौर पर भारत सरकार को प्रादेशिक सेना तथा लोक सहायक सेना के विषय में सलाह देना है ।

(ग) इस समिति के सदस्य निम्नलिखित है :—

अध्यक्ष

रक्षा मंत्री

सरकारी सदस्य

रक्षा उत्पादन मंत्री

रक्षा उपमंत्री

सचिव, रक्षा मंत्रालय

सेनाध्यक्ष

वित्तीय सलाहकार, वित्त मंत्रालय (रक्षा)

सचिव, परिवहन तथा संचार मंत्रालय

अध्यक्ष, रेलवे बोर्ड

सचिव, सामुदायिक विकास तथा सहकारिता मंत्रालय

सह सचिव (जी) रक्षा मंत्रालय

गैर सरकारी सदस्य

श्री रघुवीर सिंह पंजहजारी, संसद् सदस्य

श्री लहरी सिंह, संसद् सदस्य

श्री ललित सेन, संसद् सदस्य

महाराजा मानवेन्द्र शाह (टेहरी गढ़वाल), संसद् सदस्य

श्री कृष्ण चन्द्र पंत, संसद् सदस्य

श्री विभूति मिश्र, संसद् सदस्य

श्री आर० पी० एन० सिंह, संसद् सदस्य

श्री टी० मनियन, संसद् सदस्य

श्री एस० सी० देव, संसद् सदस्य

श्री कृष्ण दत्त, संसद् सदस्य

श्री जे० बी० मुथयाल राव, संसद् सदस्य

श्री डी० वाई० पंवर, संसद् सदस्य

सभापति, फैडरेशन आफ इण्डियन चैम्बर्स आफ कामर्स तथा इंडस्ट्री

सभापति, असोशियेटेड चैम्बर्स आफ कामर्स आफ इण्डिया

संगठन सचिव, इण्डियन नेशनल ट्रेड यूनियन कांग्रेस

लेफ्टि० जनरल संत सिंह (भारतीय सेना रिटायर्ड)

श्री एस० एम० जोशी

श्री बी० एन० मुकर्जी

श्री प्रताप भोगीलाल

सचिव

डाइरेक्टर, प्रादेशिक सेना

Workers in Bhilai Steel Project Collieries

1654. Shri Indrajit Gupta: Will the Minister of **Labour and Employment** be pleased to state:

(a) whether it is a fact that the certified standing orders have not yet been implemented in the Rajhara, Nandini, Hirri and Chandidongri Mines under Bhilai Steel Project;

(b) the reasons for delay in implementation; and

(c) whether any steps have been taken to ensure permanency of service to thousands of casual and temporary workers in the above mines as per the standing orders?

The Deputy Minister in the Ministry of Labour and Employment (Shri R. K. Malviya): (a) to (c). The standing orders for adoption in the mines and quarries of Bhilai Steel Plant in Madhya Pradesh owned by Hindustan Steel Ltd. were certified and forwarded to the parties on 28-12-1962. An appeal was subsequently filed against these standing orders and the orders of the appellate court in the matter were communicated to the parties on 2-11-1963. These orders came into operation only on 10-11-1963. It has been reported that these orders have since been brought into force.

Vividh Bharathi on All India Radio

1655. Shri M. G. Thengondar: Will the Minister of **Information and Broadcasting** be pleased to state:

(a) the total number of hours allotted for the Vividh Bharathi Programme of the All India Radio;

(b) the number of hours allotted for each language under this programme;

(c) whether there is any proposal to increase the broadcasting hours for languages other than Hindi under this programme; and

(d) if not, the reasons therefor?

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): (a) Vividh Bharati programmes are broadcast as under:—

	Hrs.	Mts.
(i) On Weekdays	11	15
(ii) On Saturdays . .	11	45
(iii) On Sundays and principal holidays. . . .	12	30

(b) to (d). The Vividh Bharati Service has not been conceived in terms of any linguistic composition. It is primarily a programme of music of the lighter variety and no linguistic proportions have been laid down in regard to its planning.

राज्य मूल्यांकन समितियां

१६५६. **श्री सिद्धेश्वर प्रसाद :**
श्री प्र० रं० चक्रवर्ती :

क्या **योजना** मंत्री यह बताने की कृपा करेंगे कि

(क) योजना के अन्तर्गत किये गये कार्यों के मूल्यांकन के लिये किन किन राज्यों में राज्य मूल्यांकन समितियां या इस से मिलती-जुलती समितियां गठित की गई हैं; और

(ख) किन राज्यों में अब तक मूल्यांकन समितियों का गठन नहीं किया गया है और इस के क्या कारण हैं ?

योजना मंत्री (श्री ब० रा० भगत) : (क) और (ख). उपलब्ध सूचना के अनुसार आन्ध्र प्रदेश, बिहार, केरल, महाराष्ट्र और उड़ीसा में राज्य मूल्यांकन समितियां या तत्समान समितियां गठित की जा चुकी हैं। उत्तर प्रदेश और हिमाचल प्रदेश में मूल्यांकन समितियां क्रमशः क्षेत्रीय तथा जिला स्तर पर गठित की गई हैं।

योजना आयोग यह बताने की स्थिति में नहीं है कि कुछ राज्यों में इसी प्रकार की समितियां क्यों नहीं गठित की गई हैं।

Trade Union Course at Singanallur

1657. Shri R. G. Dubey: Will the Minister of **Labour and Employment** be pleased to state:

(a) whether it is a fact that a regional trade union course in Tamil for the representatives of trade unions in India, Ceylon and Malaysia

was held at Singanallur in district Coimbatore; and

(b) if so, the nature of the course of instructions and who was in charge of this training school?

The Deputy Minister in the Ministry of Labour and Employment (Shri R. K. Malviya): (a) Yes.

(b) The subjects of the Course were Trade Unionism and Democracy, Union Constitution, and Organization and Administration of Trade Unions. The Course was sponsored by the International Confederation of Free Trade Unions and the Asian Trade Union College, Calcutta.

Employment of Workers in H.A.L.

1658. Shri Yashpal Singh: Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that a court of inquiry has been instituted to look into the corruption charges in the Hindustan Aircraft Ltd., Bangalore with regard to employment of workers; and

(b) if so, whether the report has been received by Government and action taken thereon?

The Minister of Defence Production in the Ministry of Defence (Shri Raghuramaiah): (a) No Court of Inquiry to look into corruption charges against any employee of the Hindustan Aircraft Ltd., has been appointed by the Government. The Commissioner for Departmental Enquiries in the Ministry of Home Affairs has been appointed by the Hindustan Aircraft Ltd., to conduct an inquiry into the charges of corruption against some of their employees.

(b) The Commissioner for Departmental Enquiries has not yet forwarded his report to the Hindustan Aircraft Ltd.

Border Roads Organisation

1659. Dr. L. M. Singhvi: Will the Minister of **Defence** be pleased to state:

(a) whether the Border Roads Organisation is proposed to be taken over by his Ministry, if so, for what reasons and by which date;

(b) whether Government propose to give the same benefits and emoluments to the non-military personnel working in this organisation; and

(c) if so, when and if not, the reasons therefor?

The Minister of Defence (Shri Y. B. Chavan): (a) While the budgetary control of the Border Roads Organisation remains with the Ministry of Transport, its administrative control has been vested in the Ministry of Defence with effect from April 1963.

(b) and (c). Personnel serving in Border Roads fall in two broad categories-military personnel on loan and civilians either on deputation or recruited from the open market. The military personnel serve on the same terms and conditions of service as are applicable to them, in the Defence Services. The civilians are governed by terms and conditions, which have been evolved taking into account the special conditions under which they serve in the border areas. There is no proposal nor will it be desirable to bring both civilians and military personnel on the same pattern of concessions during their service in the Border Roads Organization.

Border Roads

1660. { Shri Yashpal Singh: / Shri Bishwanath Roy:

Will the Minister of **Defence** be pleased to state:

(a) the number of roads proposed to be constructed by the Border Road Development Board since the emergency;

(b) the number of those which have been completed along with mileage thereof; and

(c) the total amount to be spent for the completion thereof?

The Minister of Defence (Shri Y. B. Chavan): (a) The total programme of the Board covers construction of about 5000 miles of new roads and improvement of about 2000 miles of existing roads. The projects, which have been taken up immediately, involve construction of about 2700 miles of new roads.

(b) Formation cutting of 1453 miles of roads has been completed as under:

3 Ton track (20 feet wide)—860 miles.

1 Ton track (16 feet wide)—426 miles.

Jeep track (8 feet wide)—167 miles.

(c) A realistic assessment of the total amount required for completion of the programme of the Board cannot be made at this stage.

Hangar in Nepal Airport

1661. **Shri P. C. Borooah:** Will the **Prime Minister** be pleased to refer to the reply given to Unstarred Question No. 831 on the 26th August, 1963 and state:

(a) whether the construction of the hangar at Gancher airport in Nepal has since been taken up; and

(b) when the work is likely to be completed?

The Prime Minister, Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): (a) Not yet, Sir.

(b) By March, 1965.

दिल्ली में काम दिलाऊ दफ्तर

१६६२ **श्री ओंकार लाल बेरवा :**
श्री भो० प्र० यादव :

क्या **श्रम और रोजगार** मंत्री यह बताने की कृपा करेंगे कि इस समय दिल्ली में कितने काम दिलाऊ दफ्तर हैं और निकट भविष्य में ऐसे कितने दफ्तर खोले जाने वाले हैं ?

श्रम और रोजगार मंत्रालय में उपमंत्री तथा योजना उपमंत्री (श्री च० रा० पट्टाभिरामन) : शहरी इलाके में ११ रोजगार दफ्तर और देहाती इलाके में ४ रोजगार सूचना तथा सहायता केन्द्र हैं। निकट भविष्य में ऐसे और दफ्तर खोले जाने की सम्भावना नहीं है ।

राज्यों में हथियारों का निर्माण

१६६३. **श्री ओंकार लाल बेरवा :**
श्री गोकरन प्रसाद :

क्या **प्रतिरक्षा** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या केन्द्रीय सरकार ने आपातकाल, चीनी आक्रमण और हथियारों की कमी को देखते हुए राज्य सरकारों को हथियार बनाने के कारखाने लगाने की स्वीकृति दे दी है;

(ख) यदि हां, तो उन राज्यों के नाम क्या हैं; और

(ग) यदि ऊपर के भाग (क) का उत्तर नकारात्मक है, तो उसके क्या कारण हैं ?

प्रतिरक्षा मंत्रालय में प्रतिरक्षा उत्पादन मंत्री (श्री रघुरामैया) : (क) जी, नहीं ।

(ख) प्रश्न नहीं उठता ।

(ग) सरकार की यह नीति है कि रक्षा सेवाओं के लिए आर्डनेन्स फैक्टरियों में हथियार बनाये जायें ।

अमरीका से रडार उपकरण

१६६४. { **श्री ओंकार लाल बेरवा :**
श्री गोकरन प्रसाद :
श्री प्र० चं० बरुआ :

क्या **प्रतिरक्षा** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि अमरीका ने भारत को राडार साज-समान देना स्वीकार कर लिया है;

(ख) यदि हां, तो अब तक कितनी खेपें आ चुकी हैं; और

(ग) कितनी खेपें आने का अनुमान है और उन में कितने सामान देने का आश्वासन है ?

प्रतिरक्षा मंत्री (श्री यशवन्तराव चह्वाण) : (क) जी, हां ।

(ख) और (ग). यह जन-हित में नहीं होगा कि न मामलों के बारे में सदन में सूचना दी जाये ।

Registration of Newspapers

1665. Dr. L. M. Singhvi: Will the Minister of **Information and Broadcasting** be pleased to state:

(a) the maximum time taken in sanctioning a title and granting registration to a newspaper during the last five years; and

(b) whether it is proposed to take effective steps to reduce the long delay in sanctioning titles to newspapers?

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): (a) The procedures in regard to verification of titles and issue of certificates of registration are explained respectively on pages 215-216 of the Annual Report of the Registrar of Newspapers for India, 1961, and page 19 of the Annual Report 1958. The time taken in the disposal of references from Magistrates regarding availability of titles or in the issue of certificates of registration is dependent solely on the satisfactory completion of the formalities referred to therein. Despite this in the case of clearance of titles, over 99 per cent of the references were disposed of within 4 weeks during 1962. Certificates of Registration are also issued without any avoidable delay. Information relating to maximum time taken in disposal of references regarding titles or in the issue of registration certificates during the last five years can be obtained only by scrutiny of thousands of individual cases involving an amount of labour not commensurate with the results likely to be achieved.

(b) Does not arise.

Tractors for Military Farm, Ambala

1666. Shri S. M. Banerjee: Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that some tractors were purchased by the Director of Military Farms for Military Farm, Ambala;

(b) if so, the number of tractors purchased and total amount involved;

(c) whether all are in working condition;

(d) if not, the number of tractors repaired; and

(e) the amount spent on them upto August, 1963?

The Minister of Defence (Shri Y. B. Chavan): (a) and (b). Recently, three tractors were purchased for Military Farm, Ambala, (one in March 1961 and two in March 1962) at a total cost of Rs. 26,284.

(c) to (e). All the tractors are in working condition. Maintenance repairs were carried out to the three tractors at a total cost of Rs. 5,125.

M.E.S., Ambala

1667. **Shri S. M. Banerjee:**
Shri Umanath:

Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that some transformers were purchased for M.E.S. Ambala area in 1961 and 1962;

(b) whether all are in working condition or damaged or burnt;

(c) if so, number of burnt or damaged transformers and the total amount involved therein; and

(d) the steps taken to get them repaired?

The Minister of Defence (Shri Y. B. Chavan): (a) to (d). No transformers were purchased during the years 1961-62. However one transformer was received from the Government Electric Factory, Bangalore through D.G.S. & D. in February 1958. This transformer went out of order in July 1960. The question of repairs was taken up with the suppliers who desired that the transformer should be sent to them before they gave their estimate for repairs. Several other firms who were contacted also stipulated the same condition. In order to avoid unnecessary expenditure on transportation, local firms were asked to quote. After inviting the quotations the repairs were entrusted to a local firm at Ambala. The repairs carried out were not found to be satisfactory and the transformer has been returned to the firm for rectification of the defects. No payment on repairs has so far been made.

Arrest of I.A.F. Pilot

1668. **Shri S. M. Banerjee:**
Shri P. C. Borooah:
Shri Prakash Vir Shastri:
Shri Sideshwar Prasad:

Will the Minister of **Defence** be pleased to state:

(a) whether the Pilot Officer of Indian Air Force who was arrested on a charge of spying for Pakistan has been prosecuted; and

(b) if so, at what stage the trial is?

The Minister of Defence (Shri Y. B. Chavan): (a) and (b). A General Court Martial that was convened to try Pilot Officer S. P. N. Sharma of the Indian Air Force, for the offence of passing official secrets to the officials of the Pakistan Embassy, has found him guilty, and awarded punishment of (a) 14 years' regorous imprisonment and (b) cashiering from the service. This sentence has been confirmed by the Chief of the Air Staff who has directed that the ex-officer should undergo his sentence in a civil jail.

Industrial Truce in Coal Mines

1669. **Shri S. M. Banerjee:** Will the Minister of **Labour and Employment** be pleased to state:

(a) whether it is a fact that the coal mine owners have violated the industrial truce resolution and the Code of Discipline in all mining areas after the Emergency;

(b) whether it is also a fact that the workers' unions have represented to Government against the violation; and

(c) the steps taken by Government in this regard?

The Deputy Minister in the Ministry of Labour and Employment (Shri R. K. Malviya): (a) Both employers and workers have committed some violations of the Truce Resolution and the Code of Discipline.

(b) Representations have been received from both the parties.

(c) Wherever necessary violations have been brought home to the erring parties.

Production for Defence Requirements

1670. Shri Yashpal Singh: Will the Minister of **Defence** be pleased to state:

(a) the specific steps taken by Government to encourage large scale producers in the country who are engaged in the production for defence requirement;

(b) the number of new units licensed up to 30th September, 1963;

(c) the number of producers given loans; and

(d) the total amount of the same?

The Minister of Defence Production in the Ministry of Defence (Shri Raghuramaiah): (a) A Special Director General in the Directorate General, Supplies and Disposals, Department of Supply, New Delhi has been appointed to develop indigenous sources for the manufacture of armament stores. Necessary assistance is rendered in the procurement of difficult raw-materials like the controlled and restricted categories of steel, balancing plant and also technical assistance during the early stages of development of indigenous production. The Government have also constituted Advisory Panels on Engineering Industries, Cotton Textiles, Chemical Industries and Paper for locating fresh capacity and providing additional facilities for the production of stores of which the Industries have had no previous experience.

(b) No specific licences have been issued to new units for undertaking manufacture of armament stores.

(c) Nil.

(d) Does not arise.

Film on Ladakh Battle Scenes

1671. Shri Maheswar Naik:
Shrimati Savitri Nigam:
Shri E. Madhusudan Rao:

Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that Film Director, Chetan Anand, has been permitted to shoot a large part of his film "Haquikat" in Ladakh with some outstanding battle scenes redone with the help of the Indian Army in Ladakh; and

(b) if so, the precaution taken by Government against divulgence of military matters and positions of strategic importance to the benefit of the enemy and the enemy agents?

The Minister of Defence (Shri Y. B. Chavan): (a) and (b). Shri Chetan Anand, Producer Director of M|s Himalaya Films, Bombay, is producing a commercial film called "Haqiqat" against the background of Chinese invasion of Ladakh. He requested the Ministry of Defence for permission to shoot portions of the film in Ladakh and also for various facilities such as use of troops, aircraft, vehicles, equipment etc. He has been permitted to shoot a portion of this film in Ladakh. Certain "battle" scenes were also shot in Ladakh with the help of our troops. They were not shot in real battle conditions; nor did they attempt reenactments of actual battles. Assistance was given under usual agreement after due scrutiny of the script by the military authorities and with the approval of Ministry of Information and Broadcasting. Separate agreements for Army and Air Force assistance were drawn up with Shri Chetan Anand laying down terms and conditions of such assistance.

The entire shooting by Shri Chetan Anand in Ladakh was done under the supervision of a Public Relations Officer. The location of shooting was selected under advice of military authorities and in the main was confined to within 15 miles of Leh.

Due precautions have been taken against divulgence of security matters in the Agreement. Custody and processing of the exposed film is under arrangement by Government and only the approved footage and negative material is to be made available to the Producer. The Producer is oblig-

ed to submit the completed film with sound to the Ministry of Defence before release and delete and omit therefrom any incident or portion which the Ministry of Defence consider unsuitable, the decision of the Ministry of Defence in the matter shall be final.

The Producer and all members of his party are obliged not to divulge any information they acquire regarding Military matters in Ladakh and are to follow the instructions of the Ministry of Defence regarding publicity of the film.

Government have taken a Bank guarantee for a sum of Rs. 50,000 to cover liquidated damages for non-performance of the terms and conditions of the Agreement.

इलेमेनाइट खानों का बन्द होना

१६७२. **श्री महेश्वर नायक:** क्या श्रम और रोजगार मंत्री यह बताने की कृपा करेंगे कि केरगे की इलेमेनाइट खानों (माइन्स) के बन्द हो जाने से जो मजदूर बेकार हुए उनमें कितनों को अब तक फिर से काम दिलाया जा चुका है ?

श्रम और रोजगार मंत्रालय में उपमंत्री तथा योजना उपमंत्री (श्री चे० रा० पट्टाभिरामन) : प्राप्त सूचना के अनुसार ५२ ।

Literature on Labour Problems

1673. Shrimati Savitri Nigam: Will the Minister of **Labour and Employment** be pleased to state:

(a) the total expenditure incurred by his Ministry and its subordinate offices on the publication and translation of literature on labour problems during 1962-63; and

(b) the languages in which they were translated and the arrangements made for getting them translated?

The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman): (a) and (b). Sixteen publications on labour problems were issued in English by the attached and sub-ordinate offices of the Ministry during 1962-63. Out of these, 15 were published by the Manager of Publications; the expenditure incurred by him is not debitable to the grant of the Ministry of Labour and Employment. Out of the 15 publications published by the Manager of Publications, one has since been translated into Hindi; the Hindi version has, however, not so far been printed.

As regards the remaining one publication which was not published through the Manager of Publications, this Ministry incurred an expenditure of Rs. 911.50 nP. on the English Version and Rs. 530.00 nP. on the Hindi Version.

The translation of the two publications referred to above into Hindi was done departmentally.

पत्रकारों की भर्ती

१६७४. **श्री म० ला० द्विवेदी :**
श्री स० चं० सामन्त :
श्री ब० कु० दास :

क्या **सूचना और प्रसारण** मंत्री यह बताने की कृपा करेंगे कि :

(क) सूचना मंत्रालय के अंतर्गत भारतीय भाषाओं में काम करने वाले पत्रकारों और सम्वाददाताओं की भर्ती के लिये संघ लोक सेवा आयोग जो परीक्षायें लेगा, वे क्या अंग्रेजी के माध्यम से होंगी ;

(ख) जिन भारतीय भाषाओं में इन व्यक्तियों को काम करना पड़ेगा, क्या उन भाषाओं में उनकी क्षमता की परीक्षा होगी और परीक्षार्थियों को इन भाषाओं के प्रश्न पत्रों में जो अंक मिलेंगे क्या वे जोड़े जायेंगे ; और

(ग) यदि नहीं, तो ऐसे व्यक्तियों की सम्बन्धित भाषा विषयक योग्यत की जांच का क्या मापदण्ड होगा ?

संसद्-कार्य मंत्री (श्री सत्य नारायण सिंह) : (क) से (ग). इस मंत्रालय के विभिन्न विभागों में पत्रकारिता सम्बन्धी पद, केन्द्रीय सूचना सेवा के ग्रेड १ से ग्रेड ४ तक में संवर्गित है। इनमें अनेक पदों के लिये किसी न किसी भारतीय भाषा में प्रवीणता आवश्यक है। ग्रेड २ को छोड़ कर शेष सभी ग्रेडों में संधारण भर्ती के लिये लिखित परीक्षाओं में कुछ पर्चों का उत्तर अंग्रेजी में और कुछ का भारतीय भाषाओं में देना होता है। इन सभी पर्चों में और मौखिक परीक्षा में प्राप्त अंकों को जोड़ कर योग्यताक्रम निर्धारित किया जाता है।

ग्रेड २ में भर्ती भारतीय प्रशासन सेवा आदि, परीक्षा के परिणामों के आधार पर की जाती है, जिसमें भारतीय भाषा का पर्चा अनिवार्य नहीं है। जो चुने हुए उम्मीदवार केन्द्रीय सूचना सेवा ग्रेड २ में नियुक्त किए जाते हैं, उनको एक साल प्रशिक्षण दिया जाता है और इस अवधि में उनको एक विभागीय परीक्षा पास करनी पड़ती है जिसमें भारतीय भाषा की भी परीक्षा होती है।

ग्रेड ४ के आरम्भिक गठन के लिए १७१ स्थानों में भर्ती के लिए संघीय लोक सेवा आयोग ने हाल में विज्ञापन निकाला था। इसकी लिखित परीक्षा में दो पर्चों के उत्तर अंग्रेजी में और एक पर्चे का सम्बन्धित भारतीय भाषा में देने की व्यवस्था है। साक्षात्कार के लिए केवल वही उम्मीदवार बुलाये जायेंगे, जो लिखित परीक्षा में आयोग द्वारा निर्धारित न्यूनतम नम्बर प्राप्त करेंगे।

Resolution on Southern Rhodesia

1675. Shrimati Savitri Nigam: Will the **Prime Minister** be pleased to state the name of the countries which are the signatories to the draft resolution in the Trusteeship Committee on Southern Rhodesia which Britain had vetoed in the Security Council?

The Prime Minister, Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): The following 36 countries were the original signatories to the draft resolution in the Trusteeship Committee (Fourth Committee) of the General Assembly on Southern Rhodesia which had been earlier vetoed by Britain in the Security Council:—

Algeria, Burundi, Cameroon, Ceylon, Chad, Chile, Dahomey, Ethiopia, Ghana, Guinea, India, Indonesia, Ivory Coast, Jamaica, Liberia, Madagascar, Mali, Mauritania, Morocco, Nepal, Nigeria, Philippines, Rwanda, Senegal, Somalia, Sudan, Syria, Tanganyika, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Republic, Upper Volta, Yemen, Yugoslavia.

Subsequently, Burma, Cambodia, Central African Republic, Libya, Malaysia, Niger, Pakistan and Sierra Leone joined as co-sponsors, raising the total number of signatories to 44.

International Cooperation Year

1676. { Shrimati Savitri Nigam: Shri Maheswar Naik:

Will the **Prime Minister** be pleased to state the names of the countries which have supported the Prime Minister's call for designation of a year of International Cooperation?

The Prime Minister, Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru):

The following 21 countries introduced a draft resolution in December, 1962, in the U.N. General Assembly supporting the Prime Minister's call

for designation of an International Co-operation Year. The resolution was adopted without dissent.

Afghanistan, Australia, Burma, Canada, Ceylon, Cyprus, Ethiopia, Federation of Malaya*, Finland, Ghana, India, Indonesia, Liberia, Nepal, Nigeria, Sudan, Trinidad and Tobago, Tunisia, Venezuela, Yugoslavia and New Zealand.

Last month the General Assembly unanimously decided to designate 1965—the twentieth year of the United Nations—as the International Cooperation Year.

*Now Malaysia.

Negotiations of Treaties

1677. Dr. L. M. Singhvi: Will the **Prime Minister** be pleased to state:

(a) the various modes, procedures and stages of negotiating and ratifying treaties in the Government of India at present;

(b) whether Government have given any consideration at any stage to review and/or revise the existing methods and procedures;

(c) whether Government have considered the possibility of laying treaties, pacts and agreements on the Table of the Houses of Parliament before ratifying them; and

(d) if so, the result of Government's consideration in the matter?

The Prime Minister, Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): (a) The present Indian treaty-making procedure, including stages of negotiations and ratification of treaties, may be summed up as follows:

According to the Constitution (items 13 and 14 of the Union List, Seventh Schedule), the conclusion of treaties is a central subject; hence, treaties are negotiated, signed and ratified in the name of the President or the Government of India and implemented, where necessary, by legislation adopted by Parliament.

Treaties or agreements are concluded by the various Ministries and Departments of the Government of India in accordance with the functions allotted to them under the Government of India (Allocation of Business Rules) 1961. Generally, however, political treaties are concluded by the Ministry of External Affairs. Even with regard to treaties or agreements initiated by other Ministries, the proposals must be cleared with the Ministry External Affairs where the political and legal aspects may be examined.

After the proposal has been formulated and approved by Cabinet, negotiations may be conducted by competent authorities, who are listed in a notification issued by the Ministry of Law. However, in acordance with international practice, a person who negotiates, draws up, authenticates and signs a treaty or agreement is also invested with an instrument of "full powers" issued to him by the President.

Treaties may be concluded in various forms: between the Heads of States, directly or through plenipotentiaries, between the States, between the Governments, or between the Departments. They may be drawn up formally as agreements or informally in the form of exchange of notes or letters. In all cases, except when a treaty is signed by the President or the Prime Minister, "full powers" are issued by the President. Again, Indian "full powers" are worded widely, so as to obviate the need for obtaining fresh "full powers" for concluding subsidiary agreements or arrangements.

Some treaties come into force on signature, others may be subject to ratification. In the latter case, after Cabinet has approved of the ratification, the instruments of ratification signed by the President are exchang-

ed or deposited as required under the terms of the treaty or agreement.

In the case of executory agreements, i.e. where an obligation is undertaken which requires legislative action to be implemented, or where the treaty obligation will affect private rights or existing law, Parliament will adopt the necessary law or amend the existing law in accordance with the Constitutional procedures.

The procedure outlined above applies also to multilateral conventions.

(b) The approach of Government in regard to treaty—making procedure is not rigid, so that the methods and procedures may be reviewed and revised, whenever occasion demands such an action.

(c) Treaties and agreements are generally public documents and have either been published or are in the process of publication. Since the making of treaties is an executive function, treaties and agreements are generally not laid before Parliament for approval before they are ratified. If implementing legislation is required, copies of the agreement are laid before Parliament.

(d) The system has been satisfactory and no modification is contemplated.

Regulations for Visiting Forward Areas

1678. Dr. L. M. Singhvi: Will the Minister of **Defence** be pleased to state:

(a) whether Government are aware that security regulations are being more stringently applied to Indian pressmen and other visitors going to border regions and forward areas than to foreign pressmen and foreign visitors in the same regions and areas; and

(b) if so, the steps being taken to accord to Indian nations the same facilities and consideration as extended to non-Indian pressmen, military personnel and other visitors?

The Minister of Defence (Shri Y. B. Chavan): (a) This is not correct. All pressmen, Indian and Foreign, who are allowed to visit border regions and forward areas have to abide by the same restriction *viz.* their despatches, films, photographs, tapes, etc. should be submitted to the Armed Forces Information Officer for pre-scrutiny before despatch or broadcast. Simple instruction in the form of a list of "Do's and Dont's" is handed over to each pressman sent to forward areas. Visits of foreigners to areas beyond the inner-line are governed by the Foreigners (Protected Areas) order 1958, which does not apply to Indian Nationals. The grant of permission to foreign military personnel and other visitors to visit forward areas is considered on the merits of each case.

(b) Does not arise.

C.D. Cars in Delhi

1679. Shri Surendra Pal Singh: Will the **Prime Minister** be pleased to state:

(a) whether it has come to the knowledge of the authorities that the chauffeurs of the Corps Diplomatique in Delhi show scant regard for the traffic rules; and

(b) if so, the corrective steps being taken to curb the activities of such persons?

The Prime Minister, Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): (a) While it is a fact that a few drivers of CD cars do sometimes disregard traffic rules, it is not correct to say that all drivers of CD cars show scant regard for the traffic rules.

(b) The attention of the Heads of foreign Missions in the capital has been drawn to the need for strict observance of local traffic regulations.

In case of traffic violations by diplomatic officers and home-based non-diplomatic members of the staff of the Missions, the details of such violations are brought to the notice of the Head of the Mission concerned. In the case of traffic offences by locally-recruited Indian nationals employed as drivers in the Missions, appropriate action is taken against such drivers depending on the facts and circumstances of each case.

Craftsman Training Institutes

1680. **Shri S. C. Samanta:**
Shri Subodh Hansda:
Shri M. L. Dwivedi:
Shri B. K. Das:

Will the Minister of **Labour and Employment** be pleased to refer to the reply given to Unstarred Question No. 1926 on the 16th September, 1963 and state:

(a) the number of additional training institutes under the Craftsman Training Scheme proposed to be opened during the remaining period of the Third Five Year Plan;

(b) the reasons for temporarily locating all the five institutes opened in West Bengal, at places other than the selected localities; and

(c) the number of persons trained upto date under this Scheme?

The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman): (a) Aainst 156 Institutes proposed to be started during Third Plan, 121 have already been started. The remaining 35 are proposed to be opened during the remaining period of Third Plan.

(b) As suitable accommodation was not readily available at these places, the new Institutes have been temporarily started at those places where adequate facilities were available.

(c) 1,49,861 persons have so far been trained under the Craftsmen Training Scheme since April, 1950.

Pre-Fabricated Kits of Army Vehicles

1681. **Shri Rameshwar Tantia:**
Shri P. C. Borooah:

Will the Minister of **Defence** be pleased to state:

(a) whether Army in collaboration with a private firm of Hyderabad is producing pre-fabricated kits of bodies and cabs of army vehicles;

(b) if so, the present rate of production and;

(c) how far this arrangement is sufficient to produce truck bodies manufactured or assembled at the Ordance Factories?

The Minister of Defence (Shri Y. B. Chavan): (a) A portion of Army's requirements of vehicle bodies and cabs are being met by kits manufactured by a firm of Hyderabad under contracts placed by the Directorate General of Supplies and Disposals. These kits are fitted on chassis by Army authorities upon receipt in Vehicle Depots.

(b) The anticipated rate of production is 600 in December 1963 and 700 per month thereafter, 610 kits have been accepted in inspection upto 30-11-1963.

(c) Ordance Factories are supplying vehicles manuaftcured by them with bodies. The above arrangement is for bodies on chassis obtained from trade. In addition, Electrical and Mechanical Engineer Workshops are building bodies for these chassis. Vehicle Depots are also retrieving bodies from old vehicles and fitting them on new chassis received from trade.

Ammunition for Rifle Clubs

1682. **Shri Karni Singhji:** Will be Minister of **Defence** be pleased to state whether the demands of all Rifle Clubs are now being met in regard to .22 ammunition manufactured by Ordnance Factories indigenoulsy?

The Minister of Defence Production in the Ministry of Defence (Shri

Raghuramaiah): The demands of the Rifle Clubs affiliated to the National Rifle Association of India for .22 ammunition are met to the extent possible after meeting the emergent requirement of the Services.

General Taylor's Visit

1683. **Shri Hem Raj:**
Shri P. C. Borooah:
Shri P. R. Chakraverti:
Shri Onkar Lal Berwa:
Dr. L. M. Singhvi:

Will the Minister of **Defence** be pleased to state:

(a) whether General Maxwell Taylor, Chairman of the U.S. Joint Chiefs of the Staff proposes to visit India; and

(b) the broad purpose of the proposed visit?

The Minister of Defence Shri Y. B. Chavan): (a) The Government of India received information that General Maxwell Taylor would be visiting Turkey and Pakistan. The Chief of the Army Staff, who had recently visited the United States as a guest of the United States Joint Chiefs of Staff, extended, with the consent of the Government of India, an invitation to General Maxwell Taylor to visit India and be his guest. The visit is from 16th December, 1963 to 19th December 1963.

(b) While here General Taylor will meet Ministers and senior officers of the Government of India and of the Defence Services. The assistance required towards the buid-up of India's defence potential to meet the Chinese threat will come up for discussion.

पंजाब में भूतपूर्व सनिक

१६८४ **श्री गुलशन** : क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या ५५ वर्ष की आयु वाले भतपूर्व सैनिकों को कोई नकदी सहायता दी जाती है और यदि हां, तो पंजाब में १९५० से लेकर आज तक कितने व्यक्तियों को यह लाभ पहुंचा ; और

(ख) इन में से अनुसूचित जातियों और पिछड़े वर्ग के व्यक्तियों की संख्या कितनी है ?

प्रतिरक्षा मंत्री (श्री यशवन्तराव चह्वाण) : (क) और (ख). भतपूर्व सैनिकों को गैर-सरकारी हितकारी निधियों से अधिक सहायता दी जाती है। इन निधियों के नियमों के अन्तर्गत जाति, धर्म या उम्र के विचार से कोई भेद-भाव नहीं रखा जाता। इस प्रकार लाभ पाने वाले लोगों का कोई आंकड़ा नहीं रखा जाता ।

Employment Risks

1685. **Shri P. R. Chakraverti:**
Shri Sidheshwar Prasad:
Shri D. D. Puri:

Will the Minister of **Labour and Employment** be pleased to state:

(a) whether it is a fact that for every one thousand persons employed, about forty are injured in accidents every year;

(b) whether this data apply equally to coal mining industry;

(c) the steps taken to educate workers; and

(d) whether the enhancement of compensation rates is proposed to be introduced with suitable amendments to the relevant Act as a deterrent factor against the callaousness of the employers?

The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman): (a) Yes, so far as persons employed in factories are concerned. (b) No.

(c) As regards workers in factories, the Chief Adviser Factories has been issuing regularly safety posters for distribution to the factories. A number of documentary and training films have also been produced. The Industrial Safety, Health and Welfare Museums of the Central and Regional Labour Institutes also illustrate the dangers incidental to industrial processes and educate the employers and workers in the application of principles of industrial safety and health. The employers too are imparting training in safety to their workers and carrying on propoganda in safety in most of the factories.

As for mine workers, a National Council for Safety in Mines has been set up to promote safety education. Safety Weeks in coal mines are being conducted to inculcate safety consciousness amongst workers. A Mines Sub-committee was constituted for preparing schemes to impart training to workers in mines. Under the scheme prepared by the Sub-Committee vocational training for new entrants is to be imparted by managements at the mine level; the scheme also provides for refresher courses in certain cases. Statutory rules are being framed for this purpose.

(d) By the Workmen's Compensation (Amendment) Act, 1962, which was brought into force from 1-2-63, the rates of compensation payable under the Workmen's Compensation Act, 1923, have already been nearly doubled. There is no proposal for any further enhancement of the present rates of compensation.

राष्ट्रीय प्रतिरक्षा अकादमी, खड़गवासला

१६८६. श्री प्रकाशवीर शास्त्री :
श्री बड़े :

क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि राष्ट्रीय प्रतिरक्षा अकादमी, खड़गवासला के प्राध्यापकों को अन्य कालेजों के अध्यापकों के स्तर पर ही वेतन दिया जाता है ;

(ख) क्या यह भी सच है कि इससे अच्छे योग्य व्यक्ति वहां नहीं जाते और इससे अकादमी के शिक्षा स्तर पर भी अच्छा प्रभाव नहीं पड़ता ;

(ग) क्या अकादमी के अधिकारियों ने इस बारे में कुछ सुझाव भेजे हैं ; और

(घ) यदि हां, तो उनके सम्बन्ध में सरकार की क्या प्रतिक्रिया है ?

प्रतिरक्षा मंत्री (श्री यशवन्तराव चह्वाण) : (क) राष्ट्रीय रक्षा अकादमी के लेक्चरारों का वेतन-मान विश्वविद्यालय अनुदान आयोग द्वारा निर्धारित दर की अपेक्षा अधिक अनुकूल है, जैसा कि नीचे दिया गया है :—

विश्वविद्यालय आयोग द्वारा निर्धारित लेक्चरार का वेतन	वेतन-मान रू० ४००–३०– ६४०–ई० बी० –४०–८००
राष्ट्रीय रक्षा अकादमी	रू० ४००–४००– ४५०–३०– ६००–३५– ६७०–ई० बी० ३५–६५०

(ख) नहीं । अधिकतर लेक्चरार बहुत ही योग्य हैं, और आवश्यकताओं की पूर्ति के लिए शिक्षा का स्तर बिल्कुल संतोषजनक है ।

(ग) से (घ). अकादमी के अधिकारियों ने इस दिशा में कोई खास सुझाव नहीं दिया है, किन्तु अकादमी के लेक्चरारों की सेवा की शर्तों का सुधार करने के सिलसिले में कुछ आम सुझाव दिये गये हैं और उन पर विचार हो रहा है ।

Beating of Picnic Party by Naval Ratings

1687. **Shri Raghunath Singh:**
Shri Kajrolkar:

Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that 44 naval ratings and a civilian steward have beaten a picnic party near Mahablipuram on the 25th August, 1963 and are charge-sheeted by the court; and

(b) if so, the steps being taken against them departmentally?

The Minister of Defence (Shri Y. B. Chavan): (a) and (b). On the afternoon of 25th August 1963 a picnic party organised by the Naval authorities, consisting of forty-three sailors and one civilian steward under the charge of a Sub-Lieutenant was returning from Mahabalipuram when they were involved in an incident with a number of civilians. Conflicting reports on the details of the incident have been received from Police and Naval sources.

Based on the complaint made by the civilians involved in the incident, the local police had filed a case against the naval personnel in the court of the Sub-Magistrate, Saidapet for the alleged offences of rioting, causing hurt, and theft. On 21st October 1963 when the case was taken up by the Sub-Magistrate it was transferred by him to the Navy on an application made in this behalf under the provisions of Section 549 Criminal Procedure Code.

The Central Government have asked the naval authorities to hold a full and thorough inquiry into the incident with a view to taking further action on the merits of the case.

Haj Pilgrims

1688. Shri Raghunath Singh: Will the **Prime Minister** be pleased to state:

(a) whether Government have imposed any restrictions on the number of persons going to Haj pilgrimage during 1964; and

(b) if so, the limit imposed and the reasons therefor?

The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): (a) and (b). The number of Haj pilgrims is determined each year taking into consideration the availability of foreign exchange resources, travel facilities etc. During 1964 season 15,000 persons will be permitted to proceed on Haj.

Agricultural Production Schemes for Nagaland

1689. **Shri P. Venkatasubbaiah:**
Shri P. C. Borooah:
Shri Indrajit Gupta:
Shri Daji:
Shri Raghunath Singh:

Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that Government propose to implement several agricultural production schemes such as laying of orchards in Nagaland during the current financial year; and

(b) If so, the nature and number thereof?

The Prime Minister, Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): (a) Yes, Sir.

(b) The folowing agricultural productions schemes are proposed in the current financial year:—

(i) Terrace Rice Cultivation—4000 acres.

(ii) Land reclamation for Wet Rice cultivation—1000 acres.

(iii) Fruit-*cum*-Demonstration orchards (each orchard to be developed

to an area of 100 acres in 3 years)—2.

(iv) Fruit orchards developed by farmers (loans advanced by Government.)—355 acres.

(v) Extension of cash crops by distribution of seeds and cuttings to farmers.—Seeds 333 maunds; Cuttings 11000.

(vi) Vegetable gardens to be made by villagers with seeds, fertilizers etc. supplied by Government.—50 gardens.

In addition to the above, the Government of Nagaland propose, in order to improve agricultural production, to implement schemes covering the establishment of seed farms, plant protection, supply of tools and implements, improved seeds, manures and fertilizers, supply of plough animals, soil conservation, fruit preservation etc.

Assignment of Indians Abroad

1690. { **Shri Bishanchander Seth:** / **Shri B. P. Yadava:**

Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that Government intend to prepare a panel of names of qualified and experienced Indian experts in the medical and engineering fields for assignment abroad; and

(b) if so, the particulars of the scheme?

The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): (a) Yes, Sir.

(b) The Government of India are preparing panels of names of experts in the various fields for which requests have been or may be received from other developing countries. The panels are being drawn up on the basis of the response from the various Ministries of the Government of India, the State Governments and the private and public institutions which are being approached for the purpose.

Preservation of Foodstuffs

1691. Shri D. C. Sharma: Will the Minister of **Defence** be pleased to state:

(a) whether a proposal for setting up an accelerated freeze-drying plant of five-ton per day capacity for the preservation of foodstuffs for the use of the jawans stationed on the northern borders is under consideration; and

(b) if so, the details of the proposal and the stage at which it stands at present?

The Minister of Defence Production in the Ministry of Defence (Shri Raghuramaiah): (a) and (b). Yes, Sir. A proposal for setting up an accelerated freeze-drying plant for the processing of meat is under consideration of Government. The project report has been prepared and is under scrutiny by technical authorities.

आयुध कारखानों में उत्पादन

१६६२. **श्री विभूति मिश्र :** क्या **प्रतिरक्षा** मंत्री यह बताने की कृपा करेंगे कि :

(क) २० अक्तूबर, १९६२ से ३१ अक्तूबर, १९६३ तक आयुध कारखानों में कितने मूल्य का उत्पादन बढ़ा है; और

(ख) प्रतिरक्षा उत्पादन में संलग्न आयुध कारखानों के आधुनिकीकरण तथा उनकी अधिष्ठापित क्षमता का पूर्ण उपयोग करने में कितनी प्रगति हुई है ?

प्रतिरक्षा मंत्रालय में प्रतिरक्षा उत्पादन मंत्री (श्री रघुरामैया): (क) १ अक्तूबर, १९६२ से लेकर ३० सितम्बर, १९६३ के अन्तर्गत जो उत्पादन हुआ है उसका मूल्य पिछले वर्ष इन्हीं दिनों के अन्तर्गत होने वाले उत्पादन की अपेक्षा लगभग ५१·२८ करोड़ रुपये अधिक है ।

(ख) आर्डनेन्स फैक्टरियों के आधुनिकीकरण करने के लिये आवश्यक प्लांट तथा मशीनरी के लिए आर्डर दिये जा चुके हैं। कुछ प्लांटों का आना आरम्भ हो चुका है और वे खड़ा करने के विभिन्न स्तरों पर हैं। इन प्लांटों तथा मशीनरी के प्राप्त होने तथा उन्हें खड़ा करने के बाद ही इस बात का ठीक ठीक पता चल सकेगा कि इस प्रकार लगाई गई फैक्टरियों की उपयोगिता-क्षमता क्या होगी ।

तेजपुर में सालोनी हवाई अड्डा

१६६३. **श्री प्रकाशवीर शास्त्री :**
श्री त्यागी :

क्या **प्रतिरक्षा** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि तेजपुर में सालोनी हवाई अड्डे को बढ़ाने का ठेका बम्बई की किसी कम्पनी को सामान्य दर से ६० प्रतिशत बढ़ा कर इसलिए दिया गया था कि वह जून, १९६३ तक पूरा काम कर देगी;

(ख) क्या यह भी सच है कि वह काम अभी भी पूरा नहीं हो सका है; और

(ग) सामरिक और नागरिक महत्व के इस हवाई अड्डे के पूरा न हो सकने के क्या कारण हैं और क्या उक्त ठेकेदार को शर्तें पूरी न करने के कारण कुछ हर्जाना भी देना पड़ेगा ?

प्रतिरक्षा मंत्री (श्री यशवन्त राव चह्वाण) : (क) और (ख). जी, हां ।

(ग) इस निर्माणकार्य को पूरा करने में कुछ संत्रिया सम्बन्धी तथा अन्य कारणों से देरी हुई है। यदि कोई देरी ठेकेदार के कारण हुई होगी तो ठेके की शर्तों के अनुसार उस से दण्ड वसूल करने के प्रश्न पर विचार किया जायेगा ।

New Cantonments

1694. Shri D. C. Sharma: Will the Minister of **Defence** be pleased to state:

(a) whether Government propose to build new cantonments in the country;

(b) if so, whether any sites have been selected; and

(c) when the construction work will be started?

The Minister of Defence (Shri Y. B. Chavan): (a) to (c). Government will set up new Cantonments in accordance with the expansion requirements. Certain proposals are under consideration in this connection.

M.E.S., Delhi Area

1695. Shri S. M. Banerjee: Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that there is a large number of persons in the M.E.S. Delhi Area who are still casual employees for the last many years; and

(b) if so, the action being taken to bring such employees on the regular list in view of their long services?

The Minister of Defence (Shri Y. B. Chavan): (a) Yes, Sir. Such persons are employed to cope with increases in work of a purely temporary character and are engaged for periods not exceeding 3 months at a time. The period for which such persons have been retained in the list of casual employees is about two years on an average.

(b) Vacancies in the cadre of regular employees are normally filled from among the casual employees on the roster who are otherwise eligible.

Land Reforms Committee

1696. **Shri P. Venkatasubbaiah:**
Shri Rameshwar Tantia:
Shri Abdul Ghani Goni:
Shri Gopal Datt Mengi:

Will the Minister of **Planning** be pleased to state:

(a) whether it is a fact that Government have decided to form a land Reforms Committee; and

(b) if so, the functions of this Committee?

The Minister of Planning (Shri B. R. Bhagat): (a) and (b). The National Development Council has constituted a Committee consisting of the Union Minister of Home Affairs as Chairman and the Union Minister of Food and Agriculture, Member in-charge land reform in the Planning Commission and the Chief Ministers who are Vice-Chairmen of the Zonal Councils as members to review at regular intervals the progress of land reforms in different States and to suggest measures for strengthening and improving implementation.

राष्ट्रीय आय

१६६७. **डा० राम मनोहर लोहिया :**
श्री राम सेवक यादव :
श्री किशन पटनायक :

क्या **योजना** मंत्री लोक-सभा में १० सितम्बर, १९६३ को राष्ट्रीय आय के वितरण संबंधी प्रस्ताव के बारे में दिये गये वक्तव्य के संबंध में यह बताने की कृपा करेंगे कि :

(क) 'कृषि, पशुधन और सहकारी उपक्रमों' के अन्तर्गत दिखाई गई ९,९०० करोड़ रुपये की राशि किस प्रकार निकाली गई है; और

(ख) उस राशि का मदवार ब्यौरा क्या है ?

योजना मंत्री (श्री ब० रा० भगत) : (क) और (ख). ९,९०० करोड़ रुपये की राशि का अनुमान १९६०-६१ के दौरान हुई कुल निबल राष्ट्रीय आय का ग्रामीण भाग है। जिस में कृषि, पशुपालन और सहायक कार्यकलापों, (ख) आजीविका के कृष्येतर साधनों और (ग) ग्रामीण आवासों से प्राप्त ग्रामीण आबादी की आय शामिल है। 'शेयर आफ अर्बन एण्ड सेक्टर्स इन डोमेस्टिक प्रोडक्ट इन इण्डिया इन १९५२-५३' (पेपर्स आन नेशनल इन्कम एण्ड एलाइड टापिक्स, वाल्युम १, इण्डियन कान्फ्रेन्स आफ रिसर्च इन नेशनल इन्कम) शीर्षक अनुसंधान लेख के आधार पर १९६०-६१ की कुल राष्ट्रीय आय के ६९.७ प्रतिशत अनुपात से ये आंकड़े प्राप्त हुए। तदनुसार मदवार सूचना उपलब्ध नहीं है।

Proof and Experiment Centre, Balasore

1698. **Shri Jena:** Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that the authorities of the Proof and Experiment Centre at Chandipur in the District of Balasore, Orissa, have to face a great deal of difficulties as the road from Balasore town to the experiment Centre gets submerged during heavy rains and floods every year;

(b) if so, the steps Government propose to take in this regard; and

(c) whether it is also a fact that valuable articles of use are kept exposed due to want of proper shelter at that proof Centre?

The Minister of Defence Production in the Ministry of Defence (Shri Raghuramaiah): (a) In October 1959 a portion of Balasore-Chandipore Road remained submerged due to extra-ordinary floods and cyclone. The traffic was dislocated for about three days. Although cyclone and floods are a regular feature in this part being close to the sea, there has

been no occasion since then when the road was submerged.

(b) Necessary steps are being taken to provide arboricultural protection for the earth embankment to counteract the effects of erosion. Other steps are too expensive.

(c) Valuable stores are kept properly covered by tarpaulins. A project for the provision of storage accommodation for the Establishment has already been included in Phase II, Government sanction for which is under issue.

राष्ट्रीय रक्षा कोष

१६६६. **श्री उटिया :** क्या **प्रधान मंत्री** यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि जिला शहडोल (मध्य प्रदेश) के खण्ड विकास अधिकारी एवं जयसिंहनगर के नायब तहसीलदार के विरुद्ध रक्षा कोष के लिए एकत्रित किये जाने वाले धन और सोने में गोलमाल करने की शिकायत जनता द्वारा मध्य प्रदेश शासन को सितम्बर/अक्तूबर, १९६३ में दी गई थी; और

(ख) यदि हां, तो क्या इस मामले में कोई जांच की गई है और उसका क्या परिणाम रहा ?

प्रधान मंत्री, वैदेशिक कार्य-मंत्री तथा अणु शक्ति मंत्री (श्री जवाहरलाल नेहरू) : (क) तथा (ख). २३ अक्तूबर, १९६३ को जयसिंहनगर, तहसील ब्योहारी जिला शहडोल की जनता से मध्य प्रदेश सरकार को एक शिकायत प्राप्त हुई थी जिस में तहसीलदार और खण्ड विकास अधिकारी द्वारा राष्ट्रीय रक्षा कोष के लिए इकट्ठे किये हुए सोने और धन के गबन करने और उन्हें एकत्र करने में दबाव डालने के आरोप लगाये गये थे। इस शिकायत को राज्य सरकार ने शहडोल के जिलाधीश को जांच और रिपोर्ट के लिए भेजा था। जिलाधीश की रिपोर्ट का अभी इन्तजार किया जा रहा है।

कारखानों में क्लर्क तथा अन्य कर्मचारी

१७००. **श्री कछवाय :** क्या **श्रम और रोजगार** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि कारखानों में काम करने वाले क्लर्कों को वर्ष में ४० दिन की छुट्टी दी जाती है जबकि मजदूरों को केवल १५ दिन की ही छुट्टी दी जाती है;

(ख) यदि हां, तो इस प्रकार का भेद क्यों किया गया है; और

(ग) क्या सरकार इन दोनों वर्गों को मिलने वाली छुट्टी में समानता लाने के लिए कोई कदम उठाने का विचार कर रही है ?

श्रम और रोजगार मंत्रालय में उपमंत्री (श्री र० कि० मालवीय) : (क) और (ख). कारखाना अधिनियम, १९४८ में सवेतन वार्षिक छुट्टियों की व्यवस्था न्यूनतम है। अन्य मजदूरों की भांति इस अधिनियम की परिधि में आने वाले क्लर्क २० दिन काम करने पर १ दिन की छुट्टी के हिसाब से छुट्टी के हकदार होते हैं। परन्तु इस अधिनियम में यह व्यवस्था है कि यदि किसी पंचाट, समझौता अथवा सेवा-शर्तों के अनुसार कोई मजदूर सवेतन लम्बी छुट्टी का हकदार है, तो वह इस प्रकार की लम्बी वार्षिक छुट्टी ले सकता है। इसे भेद-भाव नहीं कहा जा सकता है।

(ग) प्रश्न नहीं उठता।

Sino-Pak Border Demarcation

1701. Shri Hari Vishnu Kamath: Will the **Prime Minister** be pleased to refer to the reply given to Starred Question No. 17 on the 18th November, 1963 regarding Sino-Pak border demarcation and state:

(a) whether the matter has been discussed in the Security Council;

(b) if so, the result thereof; and

(c) if not, whether the matter is proposed to be inscribed on the agenda for the next Session of the Security Council?

The Prime Minister, Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): (a) No, Sir.

(b) Does not arise.

(c) There is no such proposal under consideration.

V.O.A. Transmitter Agreement

1702. **Shri Hari Vishnu Kamath:**
Shri P. C. Borooah:

Will the **Prime Minister** be pleased to refer to the reply given to Starred Question No. 2 on the 18th November, 1963 and state:

(a) whether the U.S.A. Government have conveyed their reaction to the proposal regarding V.O.A. transmitter agreement made by Government; and

(b) if so, the nature and content thereof?

The Prime Minister, Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): (a) No, Sir.

(b) Does not arise.

Manufacture of Marine Engines

1703. Shri Imbichibava: Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that the Kerala State Government have approached the Central Government with the request to allocate the Marine engine manufacturing plant to Kerala; and

(b) if so, the action taken thereon?

The Minister of Defence Production in the Ministry of Defence (Shri Raghuramaiah): (a) and (b). The Kerala State Government did not approach the Central Government for allocation of the Marine Engine manufacturing plant to Kerala. The Kerala State Industrial Development Corporation has however applied for an industrial licence for the manufacture of small engines for fishing boats with Norwegian aid.

"Telugu" in the Overseas Programmes of All India Radio

1704. Shri P. Venkatasubbaiah: Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether any representation has been received from Indians residing in Burma and other overseas countries, to introduce 'Telugu' in the overseas broadcast programmes of the All India Radio;

(b) whether it is a fact that considerable number of Indians whose mother-tongue is Telugu reside in Burma and other South-East Asian countries; and

(c) if so, the action Government propose to take in the matter?

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): (a) Yes, Sir.

(b) A considerable number of Indians whose mother-tongue is Telugu reside in Burma; but in the case of other South East Asian countries the number of Telugu speaking Indians is comparatively small.

(c) It is not possible to meet the demand on account of practical difficulties.

नगर हवेली में प्राइमरी स्कूल

१७०५. **श्री बसवंत :** क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) केन्द्र शासित नगर हवेली में कितने प्राइमरी स्कूल थे और अभी तक उनकी संख्या में कितनी वृद्धि हुई है; और

(ख) उसका विवरण क्या है ?

प्रधान मंत्री, वैदेशिक-कार्य मंत्री तथा अणु शक्ति मंत्री (श्री जवाहरलाल नेहरू) : (क) और (ख). एक ब्यौरा सभा पटल पर रख दिया गया है। [पुस्तकालय में रखा गया। देखिए संख्या LT २१२८/६३]

पनवेल (महाराष्ट्र) के निकट आयुध कारखाना

१७०६. **श्री बसवंत :** क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या पनवेल (महाराष्ट्र) के निकट एक आयुध कारखाना खोलने का प्रश्न विचाराधीन है;

(ख) इस के लिये कितनी भूमि अर्जित करनी होगी; और

(ग) कारखाने का निर्माण कब आरम्भ किया जायेगा ?

प्रतिरक्षा मंत्रालय में उत्पादन मंत्री (श्री रघुरामैया) : : (क) जी, हां।

(ख) और (ग). यह अभी योजना-स्तर पर है। इस फैक्टरी को खड़ा करने के लिए कितनी जमीन की आवश्यकता होगी तथा इसे बनाने का क्या प्रोग्राम होगा, इन बातों को अभी तक अन्तिम रूप नहीं दिया गया है।

All India Radio Staff Artistes

1707. Shri P. C. Borooah: Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether Government have decided to revise the service conditions of the Staff Artistes of All India Radio with a view to granting them such benefits as G.P. Fund etc.; and

(b) if so, the nature of the decision taken?

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): (a) The matter is under consideration.

(b) Does not arise.

Third Pay Commission

1708. Shri Sudhansu Das:
Shri Subodh Hansda:
Shri S. C. Samanta:

Will the Minister of **Labour and Employment** be pleased to state:

(a) whether it is a fact that the Indian National Defence Workers Federation in its recent Annual Conference held at Jubbalpore, demanded the setting up of a Third Pay Commission for the Central Government employees; and

(b) if so, the reaction of Government thereto?

The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman): (a) Government have no information on the subject.

(b) Does not arise.

Industrial Awards in West Bengal

1709. Shri Dinen Bhattacharya: Will the Minister of **Labour and Employment** be pleased to state:

(a) the number of cases of non-implementation of awards and judgments of courts by industrial employers in West Bengal referred to the State Implementation Committee by the Central Ministry of Labour and Employment during January, 1961 to October, 1963;

(b) the number out of those cases so far disposed of by the West Bengal State Implementation Committee; and

(c) the number of cases in which action has been taken by concerned authority against the concerned employers for non-implementation of awards and judgments?

The Deputy Minister in the Ministry of Labour and Employment (Shri R. K. Malviya): (a) Twelve cases were referred to the Implementation Officer, West Bengal, for disposal as these were in the State sphere.

(b) and (c). Details of action taken by the State Implementation Officer are not known.

दिल्ली छावनी बोर्ड के चुनाव

१७१०. श्री प्रकाशवीर शास्त्री : क्या **प्रतिरक्षा** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या दिल्ली छावनी बोर्ड के चुनाव के प्रयोजन के लिये दिल्ली छावनी में एक दो सदस्य वाला वार्ड है;

(ख) क्या अगले चुनाव से दिल्ली छावनी में दो सदस्य वाला वार्ड समाप्त कर देने का विचार है; और

(ग) यदि नहीं, तो इस के क्या कारण हैं ?

प्रतिरक्षा मंत्री (श्री यशवन्तराव चह्वाण) : (क) जी, हां ।

(ख) और (ग). चूंकि दो मेम्बरों वाले वार्ड से एक मेम्बर वाले वार्ड की अपेक्षा छावनी बोर्ड में अनुसूचित जातियों और जनता का अच्छा प्रतिनिधित्व होता है, अतः सरकार इस में कोई परिवर्तन करने का इरादा नहीं रखती ।

Cochin Aerodrome

1711. Shri Maniyangadan: Will the Minister of **Defence** be pleased to state:

(a) whether there is any proposal to develop the aerodrome at Cochin with landing facilities for jet and other big planes; and

(b) if so, the particulars thereof?

The Minister of Defence (Shri Y. B. Chavan): (a) No, Sir.

(b) **Does not arise.**

बिहार में रोजगार सर्वेक्षण

१७१२. **श्री सिद्धेश्वर प्रसाद :**
श्री योगन्द्र झा :

क्या **योजना** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि हाल ही में योजना आयोग द्वारा बिहार राज्य का जो सर्वेक्षण कराया गया था उस से यह पता चला है कि वहां बेरोजगारी की स्थिति बड़ी विषम है;

(ख) यदि हां, तो उस सर्वेक्षण की मुख्य बातें क्या हैं; और

(ग) इस मामले में सरकार क्या ठोस कदम उठाने का विचार कर रही है ?

श्रम और रोजगार मंत्रालय में उप-मंत्री तथा योजना उप-मंत्री (श्री चे० रा० पट्टाभिरामन) : (क) अपनी आम कार्यप्रणाली के आधीन, योजना आयोग उपलब्ध सामग्री के आधार पर, विभिन्न राज्यों की रोजगार स्थिति के बारे में कामकाजी टिप्पण (वर्किंग पेपर) तैयार करता है । ऐसी जानकारी के आधार पर निकाले नतीजे केवल योजना आयोग में ही होने वाले विचार विनिमय के लिए होते हैं । इस बारे में जब तक सम्बंधित राज्य सरकारों से बातचीत न कर ली जाय, उन्हें अन्तिम रूप नहीं दिया जाता । बिहार राज्य से सम्बन्धित उक्त जानकारी अभी विचार विनिमय की प्रारम्भिक स्थिति में है ।

(ख) और (ग). सवाल पैदा नहीं होता ।

रूस और श्रीलंका के प्रधान मंत्रियों को निमन्त्रण

१७१३. **श्री सिद्धेश्वर प्रसाद :**
श्री दी० चं० शर्मा :
श्री प्र० चं० बरुआ :

क्या **प्रधान मंत्री** यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि भारत सरकार ने रूस और श्रीलंका के प्रधान मंत्रियों को भारत आने का निमंत्रण दिया है;

(ख) यदि हां, तो क्या उन्होंने निमंत्रण स्वीकार कर लिया है; और

(ग) वे कौन-कौन सी तिथि को भारत आयेंगे ?

प्रधान मंत्री, वैदेशिक कार्य मंत्री तथा अणु शक्ति मंत्री (श्री जवाहरलाल नेहरू) : (क) जी हां ।

(ख) और (ग). सोवियत समाजवादी गणतंत्र संघ के प्रधान मंत्री ने निमंत्रण स्वीकार कर लिया है लेकिन अभी तक तारीखें तय नहीं हुई हैं । श्रीलंका की प्रधान मंत्री से अभी तक कोई उत्तर नहीं मिला है ।

Book Entitled 'Peking Vs. Delhi'

1714. **Shri Kapur Singh:**
Shri Narasimha Reddy:
Shri Buta Singh:
Shri M. G. Thengondar:

Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that a book entitled 'Peking Vs. Delhi' by George N. Patterson has been banned in our country; and

(b) if so, the reasons therefor?

The Prime Minister, Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): (a) **Yes, Sir.**

(b) The book 'Peking Vs. Delhi' by George N. Patterson published by Faber and Faber Ltd., London was banned since it contains prejudicial reports as defined under clause (7) of Rule 35 of the Defence of India Rules, 1962.

Vocational Education at Secondary Level

1715. **Shri Gopal Datt Mengi:**
Shri D. C. Sharma:

Will the Minister of **Labour and Employment** be pleased to state:

(a) whether it is a fact that the percentage of students receiving vocational education (i) at the Secondary level is only 2.2 (ii) whereas it is over 27 per cent in several other countries; and

(b) the steps Government propose to take to improve this percentage to help students to develop marketable skills for gainful employment?

The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman): (a) (i) Yes.

(ii) Information not available.

(b) Facilities for vocational training are being expanded according to needs.

Extension of Apprentices Act to Coal Mining Industry

1716. **Shri Eswara Reddy:** Will the Minister of **Labour and Employment** be pleased to state:

(a) when the Apprentices Act will be extended to the Coal Mining Industry;

(b) the number of industries to which this Act has been extended so far; and

(c) the number of apprentices in various industries as on the 1st October, 1963?

The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman): (a) There is no proposal to extend the Act to Coal Mining Industry.

(b) 127.

(c) 6,481.

Transportation of Coal in Singareni Collieries Company

1717. **Shri Eswara Reddy:** Will the Minister of **Labour and Employment** be pleased to refer to the reply given to Unstarred Question No. 1960 on the 16th September, 1963 and state:

(a) whether Government of Andhra Pradesh have since intimated that the contract for transportation of coal

through contractors done by the Singareni Collieries Company will not be terminated; and

(b) if so, further steps proposed to be taken?

The Deputy Minister in the Ministry of Labour and Employment (Shri R. K. Malviya): (a) They have said that the contract system is being continued as a purely temporary and interim arrangement.

(b) The matter is being pursued with the Government of Andhra Pradesh.

Labour Inspector (Conciliation) at Asansol

1718. Shrimati Renu Chakravartty: Will the Minister of **Labour and Employment** be pleased to state:

(a) whether the post of Labour Inspector (Conciliation), Asansol is lying vacant for the last one year;

(b) whether it has been brought to the notice of Government that cases have piled up and complaints from workers' organisations are not looked into promptly; and

(c) whether it is a fact that Government have decided even to abolish the post of Junior Labour Inspector, Asansol?

The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman): (a) No. The post of Labour Inspector (Conciliation) has been vacant from 6th April, 1963 but the work is being looked after by the Junior Labour Inspector (Conciliation), Asansol.

(b) No. Work is being attended to properly.

(c) No.

कोटा में सैनिक क्षेत्र

१७१९. श्री ओंकार लाल बेरवा : क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे; कि

(क) क्या यह सच है कि सैनिक क्षेत्र को नान्ता कोटा, राजस्थान की तरफ करने का तय हो गया है;

(ख) यदि हां, तो उस क्षेत्र में कितने रुपये की इमारतें बनाई जायेंगी;

(ग) क्या जो पुरानी बैरकें हैं वे खाली कर दी जायेंगी; और

(घ) यदि हां, तो कब तक ?

प्रतिरक्षा मंत्री (श्री यशवन्तराव चह्वाण) : (क) सैनिक क्षेत्र को हटाने संबंधी प्रस्ताव पर विचार हो रहा है ।

(ख) से (घ). प्रश्न नहीं उठते ।

Television

1720. Shri Rananjai Singh: Will the Minister of **Information and Broadcasting** be pleased to state:

(a) the total expenditure incurred by Government on television unit of All India Radio including the salaries of the staff engaged in the Unit during the financial year 1962-63;

(b) the total number of the television sets in the country;

(c) the period for which it is proposed to continue telecasting on an experimental basis; and

(d) the facilities provided or are proposed to be provided in the near future for the common men to purchase or import television sets for their personal use?

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): (a) Recurring: Rs. 13,18,169 (including Rs. 5,71,391 towards equipment received through Ford Foundation and Customs Duty thereon which was adjusted during the year 1962-63).

Capital: Rs. 90,924.

(b) 551.

(c) Till the All India Radio does not have the resources to make it a full-fledged Television Service.

(d) No facilities have been provided or are proposed to be provided in the near future since a regular Television Service has not yet been introduced in the country and the technical standards for such a public service have yet to be finalised.

Women Registered with Delhi Employment Exchange

1721. Shri Yashpal Singh: Will the Minister of **Labour and Employment** be pleased to refer to the reply given to Unstarred Question No. 2875 on the 11th June, 1962 and state the number of women candidates on the list of Employment Exchange in Delhi with qualifications of M.A., B.T. and Sahitya Ratan seeking employment in Delhi Administration for language teachers or otherwise who have since been absorbed?

The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman): Of the 6 applicants only 3 are currently seeking employment and are still on the Live Register of the Employment Exchange.

पुराचिरी में पाये गये प्राचीन मंदिरों के भग्नावशेष

१७२२. **डा० राम मनोहर लोहिया :**
श्री मनीराम बागड़ी :
श्री उटिया :
श्री बूटा सिंह :

क्या **प्रधान मंत्री** यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को यह सूचना मिली है कि पुराचिरी में डूप्ले की प्रतिमा के नीचे प्राचीन मंदिरों के अवशेष तथा विष्णु और दुर्गा की मूर्तियां मिली हैं; और

(ख) यदि हां, तो डूप्ले की प्रतिमा या उस के आधार को हटाने में विलम्ब क्यों किया जा रहा है ?

प्रधान मंत्री, वैदेशिक कार्य मंत्री तथा अणु शक्ति मंत्री (श्री जवाहरलाल नेहरू) : (क) डूप्ले की प्रतिमा के नीचे कोई मंदिर अथवा मूर्तियां नहीं पाई गईं । यह तिमा पांच खंभों पर आधारित है जिस के बारे में यह कहा जाता है कि फ्रांसीसियों ने गिन्जी दुर्ग पर विजय पाने के समय वहां के प्राचीन मंदिरों से इसे हटाया था । इन खंभों में विष्णु और दुर्गा सहित बहुत से भारतीय देवताओं की कम उभरी हुई मूर्तियां हैं ।

(ख) यहां के स्थानीय लोगों में इस के प्रति कोई भावना नहीं है; इसलिए पांडिचेरी प्रशासन के पास डूप्ले की प्रतिमा को हटाने का कोई प्रस्ताव विचाराधीन नहीं है ।

सीमा पर तैनात सैनिकों द्वारा आकाशवाणी में सन्देश

१७२३. **श्रीमती शशांक मंजरी :**
श्री ओंकार लाल बेरवा :

क्या **सूचना और प्रसारण** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार एक ऐसी योजना बना रही है जिस से सीमांत क्षेत्रों से सैनिक अपने परिवार को आकाशवाणी पर सन्देश भेज सकेंगे; और

(ख) यदि हां, तो इस योजना का ब्यौरा क्या है ?

संसद-कार्य मंत्री (श्री सत्य नारायण सिंह) : (क) जी, हां ।

(ख) अग्रिम क्षेत्रों में तैनात अफ़सर जूनियर कमीशन अफ़सर तथा सैनिकों क उन के परिवारों के नाम कुशल समाचार के संदेश पहले टेप-रिकार्डरों पर रिकार्ड किये जायेंगे । अग्रिम क्षेत्रों के निकट स्थित रेडियो

केन्द्र इन संदेशों को छांट कर उन को सम्बोधित परिवारों के निवासस्थान के निकट वाले रेडियो केन्द्रों को भेजेंगे । ये रेडियो केन्द्र अपने देहाती कार्यक्रम में इन संदेशों को प्रसारित करेंगे । इन की सूचना रेडियो पर और समाचारपत्रों में पहले से दी जायेगी ये संदेश, भेजने वालों की घरेलू बातों के ही होंगे, क्योंकि इस योजना का उद्देश्य इन व्यक्तियों के परिवार वालों को उन की आवाज सुनाना और उन के कुशल-मंगल से अवगत कराना है । फ़िलहाल यह व्यवस्था प्रयोग के तौर पर की जायेगी ।

Airmen and Technicians

1724. Shri E. Madhusudan Rao: Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that some airmen and technical hands in different groups selected in June and September, 1963 have not so far been absorbed; and

(b) if so, the reasons therefor?

The Minister of Defence (Shri Y. B. Chavan): (a) and (b). The information is being collected and will be laid on the Table of the House.

Central Information Service

1725. Shri N. R. Laskar:
Shri Ram Sewak:
Shri Naval Prabhakar:
Shri Dhuleshwar Meena:
Shri Ratan Lal:
Shri P. L. Barupal:
Shri Surya Prasad:
Shri Pratap Singh:
Shri S. C. Samanta:
Shri Swell:

Will the Minister of **Information and Broadcasting** be pleased to refer to the reply given to the Unstarred Question No. 1300 on the 2nd September, 1963 and state:

(a) whether the question of reservation for Scheduled Castes and Tribes in appointments to the cadre strength in the initial constitution of the Central Information Service as distinct from the annual appointments for maintaining the service was duly considered; and

(b) if so, the result thereof?

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): (a) The Central Information Service was constituted with effect from 1st March, 1960, consisting of 'departmental candidates' recommended by the Union Public Service Commission under rule 5(2) of the Central Information Service Rules, 1959. While recruiting them prior to 1st March, 1960, orders regarding reservation of posts for Scheduled Castes and Scheduled Tribes candidates had been observed. The vacancies in the CIS which remained unfilled after the appointment of departmental candidates have been or are being filled by direct recruitment through the Commission under rule 5(3) of the Rules and orders relating to reservation for Scheduled Castes and Scheduled Tribes candidates have been or are being observed.

(b) Direct recruitment to 16 initial constitution vacancies in Grade II was made in 1961. Against 2 posts reserved for Scheduled Castes and 1 post for Scheduled Tribes candidates, only 1 Scheduled Caste candidate could be selected.

Recruitment to 171 initial constitution vacancies in Grade IV has also been entrusted to the Commission. Of these, 22 posts have been reserved for Scheduled Castes and 9 for Scheduled Tribes candidates.

There were no initial constitution vacancies in other Grades of the CIS to be filled by direct recruitment.

Rajasthan Canal

1726. Shri Dhaon:
Shri B. P. Yadava:
Shri Bishanchander Seth:

Will the Minister of **Planning** be pleased to state:

(a) whether it is a fact that Rajas-

than Government have asked the Planning Commission to treat the Rajasthan Canal as a National Project and have also suggested that the cost of expenditure should be met by the Centre itself; and

(b) if so, the reaction of the Central Government thereto?

The Minister of Planning (Shri B. R. Bhagat): (a) No, Sir.

(b) The question does not arise.

Chinese Sovereignty over Tibet

1727. **Shri P. R. Chakraverti:** Will the **Prime Minister** be pleased to state:

(a) whether the attention of Government has been drawn to an article in the *Hindustan Times*, dated the 2nd December, 1963—headed—"Panikkar Role as Envoy in Peking";

(b) whether it is a fact that the External Affairs Ministry sent a note to Peking in October, 1950, accepting China's suzerainty over Tibet and that in codyfying the telegram, the term was changed into "sovereignty" by Cipher Bureau in New Delhi; and

(c) whether the correction was sent to Peking later on but that the Indian Embassy did not pass it on to Chinese Government?

The Prime Minister, Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): (a) Yes, Sir.

(b) No, Sir. The Government of India's note dated the 31st October, 1950, forwarded to the Indian Embassy in Peking for being handed over to the Chinese Government referred to "legitimate Tibetan claim to autonomy *within the framework of Chinese suzerainty*".

(c) No, Sir. The term did not require any correction.

Use of Radio-Isotopes

1728. **Shri H. N. Mukerjee:** Will the **Prime Minister** be pleased to state the progress so far made in the application of radio-isotopes for purposes of eradication of insect pests, selective breeding of cattle studies on fertilisation, plant physiology, food preservation and hydrological investigations?

The Prime Minister, Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): A statement giving the required information is laid on the Table of the House. [*Placed in Library, See* No. LT-2129/63].

आकाशवाणी, बीकानेर के कर्मचारी

१७२९. **श्री प० ला० बारूपाल :**
श्री नि० रं० लास्कर :

क्या **सूचना और प्रसारण** मंत्री यह बताने की कृपा करेंगे कि आकाशवाणी के बीकानेर स्टेशन में अभी तक कितने कर्मचारियों की नियुक्ति की गई है और उन में से अनुसूचित जातियों के कितने हैं ?

संसद-कार्य मंत्री (श्री सत्य नारायण सिंह) :

(१) आकाशवाणी के बीकानेर केन्द्र में अब तक नियुक्त कर्मचारियों की कुल संख्या . . ३२

(२) उन में से अनुसूचित जाति के कर्मचारियों की संख्या . ४

पाकिस्तान में प्लाटून कमांडर का निरुद्ध किया जाना

१७३०. **श्री प० ला० बारूपाल :** क्या **प्रधान मंत्री** यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि पाकिस्तान सरकार ने राजस्थान की आर० ई० सी० के प्लाटून कमांडर श्री धनसिंह, जिन को गत वर्ष गिरफ्तार किया गया था, को अभी तक नहीं छोड़ा है; और

(ख) यदि हां, तो इस मामले में सरकार क्या कदम उठाने का विचार कर रही है ?

प्रधान मंत्री, वैदेशिक कार्य मंत्री तथा अणु शक्ति मंत्री (श्री जवाहरलाल नेहरू) : (क) राजस्थान-पश्चिम पाकिस्तान की सीमा पर सक्रिय कुछ भारतीय डाकुओं ने ११ मार्च, १९६३ को राजस्थान आर्म्ड कान्स्टेबुलरी के प्लाटून कमांडर, श्री धनसिंह को धोखे से पकड़ लिया था । वे उन्हें पाकिस्तानी प्रदेश में ले गये थे जहां पाकिस्तानी रेन्जर सैनिकों ने उन्हें छुड़ा लिया था । वह अब भी पाकिस्तान में ही हैं क्योंकि पाकिस्तान सरकार पाकिस्तान में गिरफ्तार किये गये भारतीय डाकुओं के खिलाफ़ मुकदमे में उन्हें ख़ास गवाह बनाना चाहती है ।

(ख) श्री धनसिंह को भारत वापस लाने का इंतज़ाम करने के बारे में बातचीत चल रही है ।

Pachmarhi Cantonment

1731. Shri Hari Vishnu Kamath: Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that the question of registration of agricultural leases in Pachmarhi Cantonment area have been kept pending since 1958;

(b) if so, the reasons therefor; and

(c) whether the matter will be decided soon in the interest of the local farmers who applied for lease and deposited the required fee as far back as 1958?

The Minister of Defence (Shri Y. B. Chavan): (a) to (c). Detailed information is being collected and a statement will be laid on the Table of the House.

Sainik School at Pachmarhi

1732. Shri Hari Vishnu Kamath: Will the Minister of **Defence** be pleased to state:

(a) whether the plan for the establishment of a Sainik School at Pachmarhi has registered any progress;

(b) if so, the details thereof; and

(c) if not, the reasons therefor?

The Minister of Defence (Shri Y. B. Chavan): (a) to (c). It is understood that the State Government has, for the present, kept this proposal in abeyance.

Bharat Electronics Ltd., Bangalore

1733. Shri Ram Chandra Mallick: Will the Minister of **Defence** be pleased to state:

(a) the annual production of radio receiver sets by the Bharat Electronics Limited (Bangalore) during 1956;

(b) the annual production of radio receiver sets at present (1963) by the same plant;

(c) whether there is any proposal to produce more radio receiver sets in future; and

(d) if so, the details thereof?

The Minister of Defence Production in the Ministry of Defence (Shri Raghuramaiah): (a) to (d). No domestic radio receiver for entertainment purposes is manufactured in the B.E.L. In the financial year of 1956, 60 high frequency communication receivers were manufactured. 375 such receivers are to be manufactured in the current financial year. The production is being diversified to more sophisticated equipment with progressive manufacture of components.

Rural Works Programme in Madras

1734. Shri Malaichami: Will the Minister of **Planning** be pleased to state:

(a) whether any soil conservation scheme work has been sanctioned in Madras State under the Rural Works Programme; and

(b) if so, what is the rate of progress and whether any evaluation has

been made about the benefits of the scheme?

The Minister of Planning (Shri B. R. Bhagat): (a) A scheme for taking up soil conservation work in eight blocks in Madras State—3 in Coimbatore District and 5 in Salem District—was approved under the rural works programme in March 1962.

(b) The scheme envisages an expenditure of Rs. 4.128 lakhs in each block for contour bunding an area of 7,500 acres. By the end of March 1963, work was in progress in all the blocks and an expenditure of Rs. 5.396 lakhs had been incurred. In all, 4,272 acres had been covered and employment opportunities generated amounted to about 93695 mandays. The Panchayats had executed the work under the supervision of the Panchayat Unions. Since difficulty was experienced in taking up contour-bunding work in 7500 acres in each of the eight blocks during the very limited slack period available for work, it has been decided to spread the work over 15 more adjacent blocks. The Programme Evaluation Organisation is doing the evaluation of the scheme in two blocks—one each in Coimbatore and Salem Districts.

नेपाल में भारतीय वाणिज्य सहचारी

१७३४-बी० **श्री बालकृष्ण सिंह :**
श्री विश्वनाथ राय :

क्या **प्रधान मंत्री** यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि भारतीय वाणिज्य सहचारियों को नेपाल के मुख्य व्यापार केन्द्रों से हटा लिया गया है; और

(ख) यदि हां, तो उन्हें हटाने के क्या कारण हैं ?

प्रधान मंत्री, वैदेशिक कार्य मंत्री तथा अणु शक्ति मंत्री (श्री जवाहरलाल नेहरू) : (क) तीन जगहों से भारत के वाणिज्य सहचारी हटा लिये गये हैं । ये तीन स्थान हैं : नेपालगंज, बीरगंज और बिराटनगर । ये तीनों जगहें भारत के बिल्कुल करीब सीमा पर नेपाल की तरफ हैं ।

(ख) इन पदों को बनाये रखने की जरूरत ही नहीं समझी गई ।

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12 hrs.

OBITUARY REFERENCE

Mr. Speaker: I have to inform the House of the sad demise of Sardar Lal Singh who passed away at New Delhi on the 15th December, 1963, at the age of 68.

Sardar Lal Singh was a Member of the First Lok Sabha during the years 1952-57.

We deeply mourn the loss of this friend, and I am sure the House will join me in conveying our condolences to the bereaved family.

The House may stand in silence for a short while to express its sorrow.

(*The Members then stood in silence for a short while*)

12:02 hrs.

CLOSURE OF OFFICE OF ASSISTANT HIGH COMMISSIONER OF INDIA IN RAJSHAHI IN EAST PAKISTAN

Mr. Speaker: Now, Shri Nanda.

Shrimati Renu Chakravartty (Barrackpore): May I know from you what has happened to my calling-attention-notice on the....

Mr. Speaker: I shall take it up afterwards. I have asked the hon. Minister to make a statement in a day or two.

Shri Hem Barua (Gauhati): May we seek an information from the hon. Prime Minister about the closure of the office of our Assistant High Com-

[Shri Hem Barua]

missioner in Rajshahi, that was implemented yesterday? May I know whether Pakistan has closed our office there? May we have some information from the Prime Minister about it? It is a very important matter. May we also know whether our decision to close down the Pakistan High Commission's office in Shillong has been given effect to or not?

Shri S. M. Banerjee (Kanpur): A question was there on this subject earlier.

Mr. Speaker: The hon. Member wants to know whether we have also closed their office in Shillong. A question was there on this subject, but we have not been able to reach that. Therefore, the Members are anxious to know whether that office at Rajshahi has been closed, and whether we have also closed down their office at Shillong.

Shri Hem Barua: I want to know whether Pakistan has actually closed down our Assistant High Commissioner's office in Rajshahi, and whether we have also reciprocated that closing down by closing down their office in Shillong.

Mr. Speaker: Order, order. I have already asked the hon. Prime Minister to reply to the point.

Shri Swell (Assam-Autonomous Districts): I have already tabled a calling-attention-notice on this matter.

The Prime Minister, Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): Yes, our office in Rajshahi has been closed....

Shrimati Renu Chakravartty: How does this come up just like that?

Shri Nath Pai (Rajapur): Because it is of national importance.

Shrimati Renu Chakravartty: But the Speaker has never permitted such a thing before simply because a thing is of national importance.

Mr. Speaker: A question on this subject was there on today's Order Paper, but we have not been able to reach it. Of course, it is a matter of national interest. So, some hon. Members are anxious to know about it.

Shri Tyagi (Dehra Dun): There has been also a convention that such questions of national importance may be answered after the Question Hour.

Shri Jawaharlal Nehru: Our office in Rajshahi has been closed since day before yesterday. The various books and papers there are being sent away to Dacca or to Calcutta.

In regard to this, we are going to place on the Table of the House—I suppose they have already been placed on the Table in answer to the question on the subject—the texts of the notes exchanged with the Government of Pakistan on this subject.

As for our closing their office, we are not closing it yet. We are considering what we should do and how we should do it. There is no immediate necessity of closing that. We decided not to close it immediately but to watch other things happening and other events taking place before we took a decision.

Shri Hem Barua: May I seek a clarification?....

Mr. Speaker: Order, order. I am not going to allow the hon. Member.

Shri Hem Barua: I want to submit very humbly....

Mr. Speaker: Order, order. The hon. Member should resume his seat now.

Shri Hem Barua: He gave a different reply to my question before.

Mr. Speaker: That does not matter. I am not going to allow any further questions on this now.

12.04 hrs.

PAPERS LAID ON THE TABLE

STATEMENT ON PROPOSAL TO SET UP A CENTRAL VIGILANCE COMMISSION

The Minister of Home Affairs (Shri Nanda): I beg to lay on the Table a statement on the proposal to set up a Central Vigilance Commission. [*Placed in Library. See* No. LT-2120/63].

Shri S. M. Banerjee (Kanpur): We want to know the personnel of this commission.

REPORT ON 'STUDY OF COTTON IN INDIA'

The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman): On behalf of Shri B. R. Bhagat, I beg to lay on the Table a copy of Report on the 'Study of Cotton in India' [*Placed in Library. See* No. LT-2121/63].

CONVENTIONS AND RECOMMENDATIONS ADOPTED AT 46TH SESSION OF INTERNATIONAL LABOUR CONFERENCE

Shri C. R. Pattabhi Raman: I beg to lay on the Table a copy of Conventions and Recommendations adopted at the 46th Session of the International Labour Conference held at Geneva in June, 1962. [*Placed in Library. See* No. LT-2122/63].

NOTIFICATIONS UNDER IRON ORE MINES LABOUR WELFARE CESS ACT

The Deputy-Minister in the Ministry of Labour and Employment (Shri R. K. Malviya): I beg to lay on the Table a copy each of the following Rules under sub-section (4) of section 8 of the Iron Ore Mines Labour Welfare Cess Act, 1961:—

(i) The Iron Ore Mines Labour Welfare Cess Rules, 1963, published in Notification No. GSR. 1534, dated the 28th September, 1963;

(ii) The Iron Ore Mines Labour Welfare Cess (Amendment) Rules, 1963, published in Notification No. GSR. 1875, dated the 7th December, 1963.

[*Placed in Library. See* No. LT-2123/63].

12.05 hrs.

PRESIDENT'S ASSENT TO BILLS

Secretary: Sir, I lay on the Table the following four Bills passed by the Houses of Parliament during the current Session and assented to by the President since a report was last made to the House on the 9th December, 1963:—

(1) The Drugs and Magic Remedies (Objectionable Advertisements) Amendment Bill, 1963.

(2) The Income-tax (Amendment) Bill, 1963.

(3) The Appropriation (No. 5) Bill, 1963.

(4) The Appropriation (Railways) No. 6 Bill, 1963.

MESSAGE FROM RAJYA SABHA

Secretary: I have also to report the following message received from the Secretary of Rajya Sabha:—

"In accordance with the provisions of rule 125 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha at its sitting held on the 12th December,

[Secretary]

1963, agreed without any amendment to the Unit Trust of India Bill, 1963, which was passed by the Lok Sabha at its sitting held on the 5th December, 1963."

RE. PAPER LAID ON THE TABLE

Shrimati Renu Chakravartty (Barrackpore): May I make a submission to you? Would it be possible for Members to receive a copy of the statement laid on the Table of the House with regard to the Central Vigilance Commission?

Mr. Speaker: I shall see that Members get copies of it.

ESTIMATES COMMITTEE

FORTIETH REPORT

Shri A. C. Guha (Barasat): I beg to present the Fortieth Report of the Estimates Committee on action taken by Government on the recommendations contained in the 156th Report of the Estimates Committee (Second Lok Sabha) on the Ministry of Steel, Mines and Heavy Engineering (Department of Mines and Metals)—National Mineral Development Corporation Limited, New Delhi.

STATEMENT *RE.* ECONOMIC SITUATION

The Minister of Finance (Shri T. T. Krishnamachari): During the time that I have been in charge of the stewardship of the Finance Ministry, I have placed before Honourable Members a number of proposals which have been designed to promote economic growth, I believe, with social justice. But I had not the opportunity of stating in Parliament my views on the economic trends and movements in the country. Last week, the Lok Sabha had occasion to discuss at considerable length the document from the Planning Commission on the Mid-term Appraisal of the Third Five-Year Plan. My purpose today is not to return to the ground that has already been traversed. I propose instead, if I may, to think aloud on economic and financial conditions in the country in recent months and to share with Honourable Members certain tentative and general ideas on the course that economic policy might take in the months ahead.

2. The economic situation, Sir, in the country as it confronts us today provides, so to say, a mixed bag. Some aspects of it are encouraging, others are less so. In regard to our foreign exchange situation, the position continues to be tight, though it may be said that we have, by prudent management, achieved a not too uncomfortable balance. Honourable Members are aware that our foreign exchange position turned difficult once again last summer and we had to renew our stand-by agreement with the International Monetary Fund for one more year. Fortunately, this decline in reserves was arrested after August and it has not been necessary for us to draw on the stand-by so far. In fact, we have repaid 25 million dollars to the International Monetary Fund. On the 6th December, 1963 the total foreign exchange resources held by the Government and the Reserve Bank of India, amounted to Rs. 282 crores as against Rs. 295 crores at the end of March, 1963 and Rs. 257 crores at the end of August last. We might in the coming months expect some further improvement. Even so, we expect that at the end of the current financial year the reserves would be of the same order as at the beginning of the year, i.e., about Rs. 300 crores or so. At this level the reserves leave only a very small margin for safety, and we shall have to continue to be as careful, as ever before, in the expenditure of our foreign exchange resources.

3. To a large exent, the satisfactory position of our external account was due to an improvement in export earnings during the first seven months of the current fiscal year which were higher than the earnings in the corresponding period last year by about Rs. 47 crores. The increases have been largely in conventional items. While this is reassuring, certain variations in the sources of our invisibles cause some concern and indicate that some of the concessions that we have given in regard to exports are being abused. We cannot afford to have our efforts at increasing exports nullified by decrease in our earnings from invisibles. The position calls for careful watch and scrutiny. A steady increase in export-earnings must remain, for many years to come, a matter of the highest urgency and importance, and this urgency must be reflected in all our economic policies, be they policies pertaining to taxation, to controls, or to the relative emphasis given to the different sectors in the programme of development.

4. Internally, Sir, the budgetary outlook for the current year is not unsatisfactory despite major concessions in regard to the compulsory deposit scheme, and the reduction on two occasions in permium rates for the Emergency Risks Insurance Scheme. Net receipts under market borrowings, as a whole, were somewhat lower than expected, and external loan receipts are also not likely to come up to earlier expectations. Further, the large number of budgetary imposts introduced last year have added to the cost of governmental operations, both normal and those relating to our developmental programmes. The Railways, for example, will have to spend more this year as a result of the additional imposts as well as increases in the price of coal and steel. What is true of Railways is also true of other programmes undertaken by the Centre and the States. As Honourable Members are aware we have already agreed to increase Central assistance to the States for the Plan this year by Rs. 50 crores partly in response to the rise in costs and in part to enable the States to undertake additional programmes in the vital fields of agriculture and power. An extra provision for the Industrial Finance Corporation and the Industrial Credit and Investment Corporation of India will be made to enable these institutions to play a more active part in stimulating worthwhile investments in the private sector.

5. The shortfall in capital receipts and the additional items of expenditure to which I have referred will be off-set to some extent by an improvement in tax revenues. In regard to indirect taxes, the buoyancy witnessed earlier this year is not likely to be maintained, but, on the whole, we might expect to exceed the estimate, or at least to break even. In regard to direct taxes, it is expected that there would be a significant improvement mainly because of the more intensive collection drive. Besides, receipts under small savings have also shown a marked improvement this year and it is not unlikely that the total collections might exceed the budget estimate of Rs. 105 crores for the country as a whole. On a realistic basis, we must also reckon with some shortfalls in expenditure.

6. Altogether, taking account of all the factors that I have mentioned, the overall budgetary deficit for the current year should be lower than the figure of Rs. 181 crores that was originally budgeted for. Even so, it would, in all probability, be appreciably higher than the deficit last year. Honourable Members will agree that in the present situation, in which there is considerable concern in regard to rising prices, there is no scope for complacency in the matter of deficit financing.

7. I am well aware that in this field of budgetary policy, we are passing through a particularly difficult period this year. Substantial additional taxation had to be imposed to meet

[Shri T. T. Krishnamachari]

the needs of defence and development precisely at a time when there was a significant decline in agricultural production and consequently a spurt in the prices of several basic necessities. The juxtaposition of these three factors has inevitably added to the hardships that were implicit in the higher requirements of defence and development. We have endeavoured to respond to the difficulties created by the combination of lower production, rising prices and higher taxation by some measure of relief through the modification of the compulsory deposit scheme. But in view of the overall budgetary position for the current year as I have already outlined, there is little scope for any further relief. Nevertheless, in view of business conditions in the country and the fact that we have already collected a substantial amount under the Emergency Risks Insurance Scheme, Government have decided that for the coming quarter, namely, January-March 1964, there shall be no collections of premium under this particular scheme. The Emergency Risks Insurance Scheme must necessarily be continued as long as the potential threat to the country remains. And let on one under-rate it. It is my intention, however, to announce from quarter to quarter the premiums to be paid under this scheme in the light of the circumstances existing at the time.

8. As Honourable Members are aware, the two related problems which have caused us a good deal of concern in recent months are those of rising prices and an inadequate rate of growth. Over the first two years of the current Plan period, the general level of wholesale prices in the country had remained substantially unchanged. The small decline in the first year was offset by a corresponding rise in the second year of the Plan. During the current year, however, there has been a more or less persistent upward pressure on prices, particularly of rice and sugar. On the whole, the outlook for agricultural production in the current season is better and this has begun to be reflected in the trend in wholesale prices in recent weeks. Seasonally, the price situation should show some improvement around this time of the year in any case. It would, however, be a mistake to allow any sense of complacency to develop as a result of a seasonal fall in prices.

9. Given the improvement in crop prospects this year it should be possible, by intensified measures of procurement as well as regulation of wholesale trade, to maintain the price situation under reasonable control. This would need both Government and people taking a long range view of the problem of prices and cost of living. Equally, we must be prepared for the injection of a large degree of discipline into our economic system. Taken separately, the safeguarding of the interests of any distinct group or class of people appears reasonable, but when synthesizing various group and class interests and fitting them into the national interest it is inevitable that Government will have to call for sacrifices from all sectors of the population. When we speak about control of strategic points of the economy, we have to take into account not merely the interests of the producers, but also those of the consumers, nay even the interests of industry which consumes some of our cash crops. It is only when we are able to recognise that for every question, there is another point of view that has to be accommodated to some extent that we could progress further in the direction of establishing stable prices for the benefit of the community as a whole. This is a task which faces the Government today in all its grimness. The problem cannot be solved by Government alone without substantial assistance and support from Parliament and the public.

10. In the ultimate analysis, however, our success in dealing with our

basic economic problems, be they problems of improving our balance of payments position, or of maintaining a degree of stability in prices, or of raising resources for the Plan, will hinge on the success that we achieve in stimulating and sustaining production and productivity. I, for one, would not deny that in a developing economy, characterised by scarcity of resources all-round, there is a continuous need for a measure of restraint on consumption and on less essential investment. At the same time, nothing could be more short-sighted and self-defeating than the assumption that, no matter how big the problem in terms of the resources we need, it can be solved by policies of restraint. In a rich country trying to correct minor and temporary imbalances in the situation from time to time, restraint may well be the keynote of economic policy. Even in such countries, there is considerable doubt nowadays whether policies which seek to emphasize curtailment of demand, rather than augmentation of supplies, are really well-conceived. In our situation where a large section of the people are living on submarginal levels and where there is considerable leeway to be made in raising production, our fundamental approach to any imbalance or shortage can only be in terms of ending this shortage or imbalance at higher levels of supplies rather than in terms of greater and greater restraint on demand. Let me repeat Sir, that I do not dispute the necessity of a measure of restraint. Much less do I plead for a complete abrogation of regulation or of a sense of priorities. But I have no doubt whatsoever that we shall succeed in solving our complex and difficult problems only in so far as we succeed in fixing our eyes steadily on expansion and higher production even as we seek to contain demand within reason at any given time.

11. Honourable Members are aware, we have, of late, taken a number of measures to stimulate economic activity in the country. The Reserve Bank has announced that it will ensure that credit for all legitimate purposes is available in the current busy season. But it is not our intention to usher in an era of cheap money policy in the country. For a country like India where capital is scarce, the accent of monetary and credit policy must necessarily be on realistic rates of interest which reflect adequately the real cost of capital to the economy. At the same time, the supply of credit should be adequate to meet the needs of growth. I do not propose to go at any length here into the various other measures that we have taken to stimulate the growth of savings and to provide a better flow of medium-term and long-term finance for industrial development. I would only say that the enlargement of resources of the Industrial Finance Corporation and the Industrial Credit and Investment Corporation of India, the establishment of the Unit Trust, and the legislation which I intend to introduce for the setting up of a Development Bank, are all designed to strengthen the present institutional framework for meeting the legitimate financial needs of industry.

12. While considerable attention has rightly been focussed, of late, on the need to increase agricultural production, we should not lose sight of the fact that industrial production also needs to be increased at a much faster rate than has been the case so far. The rate of increase in industrial production during 1962-63 was somewhat higher than in 1961-62. Indications, however, are that even with improvements in a number of directions, the rate of increase in industrial production during 1963-64 will be of the same order as in 1962-63, i.e., roughly 8 per cent or so. I do not wish to go into details here about production trends in different industries. Basically, I think, the situation that confronts us is very clear, namely, that unless industrial investment in a number of vital sectors is increased as quickly as possible, and unless production in some of the im-

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portant consumer goods industries, such as, cotton textiles and sugar, picks up to a significant extent, it will not be possible for us to achieve an overall rate of growth in industrial production of the kind that we urgently need.

13. Speaking on this subject of growth on the All India Radio on the 11th of October last I had mentioned that it was my intention to review the present fiscal and related policies with reference to the immediate needs of the economy as well as the requirements of growth and social justice in the years to come. Honourable Members would appreciate that this is not the occasion to announce any changes in the fiscal system. Around this time of the year it is customary to review the budgetary policy departmentally in the light of the requirements for the coming year and the emerging conditions in the economy. In the nature of things this examination of budgetary policy cannot be conducted in the full glare of publicity. At the same time, there is, I think, a certain advantage in taking Parliament and the people at large into confidence upto a point, well before the finalisation of the Budget proposals. As I mentioned at the outset, it is primarily with this purpose of doing a certain amount of loud thinking that I have craved the indulgence of your time and attention today.

14. The budgetary outlay next year will inevitably be considerably higher than during the current year. Given the continuance of the emergency and the threat to our borders, of which I see no visible signs of abatement, there cannot clearly be any question of slackening our defence effort. On the other hand, the Plan outlay next year will have to be substantially larger. We are currently having discussions with State Governments on their plans for 1964-65 and indications are that Central assistance to the States next year for their plans will have to be significantly larger than in the current year. The outlay on the Centre's plan next year will also have to be higher.

15. A certain order of increase in non-plan expenditure is also inevitable. As Honourable Members are aware, we have already taken a few measures to enlarge the area of social security. It is Government's intention to extend these measures to the maximum extent possible consistent with our ability to find the additional resources. This too, while conferring a direct benefit on the people, will impose an additional claim on public resources.

16. To a certain extent the increase in expenditure, both plan and non-plan, would be offset by growth in normal tax revenues and by greater utilisation of external assistance as the projects for which such assistance is earmarked begin to get completed. On the other hand, while it should be our endeavour to increase receipts from small savings even beyond the satisfactory levels for the current year, it will not be prudent, in the light of this year's experience and the requirements of the rest of the economy for funds, to plan for any significant increase in the resources to be raised by market borrowing There is also no question of taking the lid off deficit financing at a time when the utmost vigilance is required on the price front.

17. I think it will be clear from what I have said that given the imperatives of the situation, the need for increasing the pace of mobilisation of resources remains as insistent as ever. In short, in any review of fiscal policies, the primary emphasis has to be on such forms of modification and rationalisation of the tax system as are calculated to improve the performance of the economy without disregarding the need for raising resources on an adequate scale. The relevant question before us, there-

fore, is whether there is any scope for making such changes as would stimulate savings, investment and production and thereby contribute even more to the buoyancy of public revenues than the present taxation system does.

18. Honourable Members would recall that on a number of occasions I have referred to the prevalence of unaccounted money in the economy. It is a curious paradox of our situation that, while money for worthwhile investments and public purposes is in short supply, there is a great deal of unaccounted money circulating in the economy in search of further undercover gains. What is even more important, the social evil inherent in tax evasion gets doubly compounded as it necessitates greater and greater tax burdens on those who are law-abiding. Perhaps the most important problem that faces us in regard to fiscal reform is that of devising astute and stringent measures to meet the evil of this tax evasion so that it might be possible to distribute the burden of taxation more justly and more evenly between different individuals in the same or similar walk of life. We have thought too exclusively of social justice as justice between different classes or sections of the community and not enough of the injustice inherent in tax evasion as between the different members of each class or profession and as between the honest tax-payer and the dishonest evader.

19. Another avenue which I think we need to explore is that of surpluses from public enterprises. It has been common knowledge for some time that the returns of investment in the public sector have not been commensurate with what we should expect from it. The mid-term review also brings out the fact that, while we are likely to exceed the target of additional taxation by a substantial margin, surpluses from public enterprises are not likely to come up to original expectations. There may be many unavoidable reasons for this into which we need not enter here. The fact, however, remains that the public sector cannot hope to play a dominant part in the development of basic industries, transport and power and the like unless our massive investments in these fields begin to earn a more reasonable rate of return. Over the years to come, we shall have to rely relatively more on the profits of public sector enterprises than on taxation for meeting our needs if a proper balance between the two is to be kept. It may well be that profits of public sector enterprises can be raised in part at any rate, only by adjustment in their pricing policies. If so, we must be prepared to make the adjustments promptly. It is a major question for consideration whether such adjustments in pricing policies are not to be preferred to additional indirect taxation on commodities in the production of which society at large is already earning a reasonable overall return.

20. The question of pricing policy and controls has rightly received a great deal of attention in recent months. It has often been said, for example, that the growth of the economy is hindered by controls that we maintain at present on a large number of commodities. A measure of control is undoubtedly necessary, nay even imperative, in a planned economy, particularly in regard to those basic items which are in short supply and where there is danger of monopolistic exploitation. At the same time, controls in their actual implementation often impede the operation of those very forces which might make for the elimination of the shortages and introduce some degree of competition. It is for this reason that we have been reviewing the operation of controls over a number of sectors in the economy for some time now. We have come to the conclusion that gradual and orderly relaxation of some of the controls would be in the interest of stimulating economic growth. Government have accordingly decided to abolish the present controls over the price of 16

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commodities, viz., rayon yarn, staple fibre, caustic soda, soda ash, hydrochloric acid, chlorine, calcium carbide, bleaching powder, chilean nitrate, muriate of potash, sulphate of potash, washing soap, tyres and tubes, sheet glass, paper board (but *not* paper) and natural rubber.

21. As Honourable Members are aware, we have appointed at present a Committee to examine the present procedures in regard to licensing of industries, the grant of capital goods licences, the control over capital issues and similar other controls which affect the expansion of the private sector. Pending full enquiry by the Committee and in the light of our experience, we have decided that under the Industries (Development & Regulation) Act, the limit for exemption from licensing which was raised to Rs. 10 lakhs in 1960 will now be raised to Rs. 25 lakhs. Correspondingly, the exemption limit for purposes of the capital issues control is also being raised from Rs. 10 lakhs to Rs. 25 lakhs. In general, in the administration of all controls, including permissions for intercorporate investments, we shall be guided mainly by the need to promote the growth of essential industries. I hope that, quite apart from freeing a significant area of industrial investment from these requirements, the proposed change will also make it possible to deal with those cases which would still require a licence or sanction, with greater speed and efficiency.

22. In announcing these changes I should like to make two things abundantly clear. Firstly, in our present foreign exchange position, we cannot relax the scrutiny over import of plant and machinery associated with any investment however small. In sanctioning licences for the import of capital goods, therefore, Government will continue to have the utmost regard for the essentiality of industry and other relevant factors. I should also like to make it clear that even after this liberalisation no one should put up industries which would need steady supplies either of imported raw materials or of indigenous raw materials which are in acute shortage and the distribution of which is controlled by Government. The relaxation I have announced is therefore intended to simplify and expedite the present licensing procedures and to give a fillip to the setting up of industries with indigenous equipment and using indigenous raw materials which are in short supply.

23. I venture to think that the steps we have taken and are now taking would help to lift the economy to a somewhat higher level of effort and enterprise than has been the case for sometime in recent past. At the same time many more things will need to be done. My tentative thinking on the state of the economy and budgetary problems for the coming year will, I hope, help stimulate thought and informed discussion on these matters of vital public importance.

Shri Nath Pai (Rajapur): Sir, may I point out that the order paper which was circulated to us stated that after Shri Guha, a statement was to be made by Acharya Kripalani. I know it is up to you to allow, but even the Finance Minister cannot take this House by surprise, particularly when he is going to make so major a statement which appears to me to supplement what he said during his intervention on the Plan debate. Perhaps it was the anticipated statement of the budgetary and fiscal policies of the Government. His plea was that he was doing some loud thinking. So far as that is concerned, I am one who likes to encourage more of it on the part of some of his colleagues. If it is loud thinking, we welcome it but we expect that such things should be included in the Order Paper that is circulated. That procedure should normally be adhered to. The House

should not be taken by surprise. If there is a departure, we should be told why a departure is being made.

Shri Hari Vishnu Kamath (Hoshangabad): May I invite your attention to rule 372. That rule does permit the Minister to make a statement in public interest with your consent. I am very well aware of that rule. But the normal practice has been that when a Minister makes a statement of this importance, reading of which has caused him considerable eyestrain apparently such statement should have figured in the Order Paper. Due notice should have been given to the House. I am sorry that this practice has been deviated from in this case. I hope you will now so arrange that the statement will be circulated as soon as possible to the Members of the House.

Mr. Speaker: In fact, strictly, there is no point of order on which I have been called upon to give any ruling. So far as ministers' statements are concerned, if they get my permission and inform me beforehand and send me also a copy, I can allow them. My permission was asked for and I allowed that. Sometimes, important statements are to be made without previous intimation also. There is some urgency, some importance which requires that they should make these statements at shorter notice. When I got that I had entered it in my own note, though it had not been notified to the hon. Members. There is nothing extraordinary that has happened. Many a time we have done so and we are doing it. That procedure is probably advisable. Sometimes they have to make those statements. (*Interruption*).

Shri Nath Pai: We bow to your ruling and I agree with you that broadly speaking it may be in accordance with the rules of procedure, but, nonetheless, I would like to reemphasise this aspect and would respectfully draw your attention to this: this statement is the product of a long-thought-out process of thinking. It was not something that came suddently. It was not an event which was not expected by him. He and the Government definitely knew it and he was working on it. It is a major, important statement. We would like to be warned, so to say, that such a statement would be made by him because we can get an opportunity to discuss it. (*Interruption*).

Mr. Speaker: That is a second thing altogether.

Shrimati Renu Chakravartty (Barrackpore): On matters which require an immediate statement in the House and which may have to be kept secret before it is announced on the floor of the House, your discretion is always there. This is a long, major statement. I think my hon. colleagues were right in asking why such an item did not appear in the Order Paper for today. It is a long, well thought-out written statement and it is a major policy statement. It is an innovation; it may be a good innovation, but why it should not be put on the Order Paper is not clear to me.

Then, I want to know why the fact that Shri Kripalani is going to make a personal statement has come up on the Order Paper. It is a statement which he has already clarified on the floor of the House at that time when Shri Ansar Harnavi spoke. (*Interruption*) How does this come on the Order Paper today? That is another point which I would like to have clarification upon.

Mr. Speaker: The hon. Member has mixed up two things.

Shri Prabhat Kar (Hooghly): So far as the statement is concerned, I think we shall be supplied with copies.

Mr. Speaker: Copies would be supplied. Now, the point is, it is for the executive Government and the Minister particularly to consider whether really he feels that there is something secret about the statement which he will make on the spur of the moment in the House. I was informed that it

[Mr. Speaker]

was a secret statement and that the contents of the statement are being treated secret. I was informed about that. I could not question it. (*Interruption*). Order, order. It is for the Minister in charge to consider about it. That has been done. It is quite in order. That ought not to be questioned.

Shri Hari Vishnu Kamath: May we have an assurance that this will not be a precedent for the future?

Mr. Speaker: No assurance; perhaps it may have to be done many a time.

12.43 hrs

STATEMENT BY MEMBER

Mr. Speaker: Shri J. B. Kripalani. He might sit and speak. Let us hear him patiently.

Shri J. B. Kripalani (Amroha): Mr. Speaker, Sir, I thank you for the facility that you have allowed me, to sit and speak.

12:43 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

The day after the discussion on the no-confidence motion of October last was over, I wanted to raise in the House a matter of public importance connected with the integrity of the Members. But I was taken ill. It is only now that the doctors have allowed me to do some of my normal work. I, therefore, take the first opportunity to raise the issue.

I was accused during the debate of using Gandhi Ashram funds for my election. It was also said that I had defalcated lakhs of rupees given to me by the Dalai Lama for the relief of the Tibetan refugees. I denied these charges. But that was only word against word. I feel that if serious charges are levelled by Members of this august House against their colleagues, these charges must be investigated. I therefore request you either yourself to institute an enquiry into all these charges or appoint a committee of one or more Congress Members of this House to do so. It will not be difficult to find the truth.

So far as the Ashram funds are concerned, they are deposited in one or two banks. It can easily be ascertained if any account of the Ashram stands in my name even though I was its director. If I cannot draw money from the banks I can only get it in collusion with the Secretary of the Ashram, Shri Vichitra Narain Sharma. He is a Congressman of 43 years' standing and was a Minister in the Uttar Pradesh Cabinet for 12 years. Enquiries can be made from him. He is not likely to allow an Opposition candidate to use public funds at his disposal. The Ashram accounts undergo a double audit; one internal and the other instituted by the Khadi and Village Industries Commission, for the Ashram has received from it a large amount of money as loan.

The second charge whether any money was given to me by the Dalai Lama for the relief of the Tibetan refugees can also be easily verified by writing to him and asking him if he has ever contributed any funds whatsover either to the Tibetan Relief Committee or to me personally for relief work. If he has given money he will naturally be anxious to know what has happened to it. Whether any funds were given by him for relief to the Committee can also be ascertained from the treasurers of the Relief Committee. For years, Shri Morarka, a Congress Member of this House, was the treasurer. Recently, another hon. Member of the House Shri Kamalnayan Bajaj, who was for many years the treasurer of the Congress Party, is the treasurer. Their evidence may be taken. Further,

the Tibetan Relief Committee was formed by the A.I.C.C. as an all-party Committee, and one of its former General Secretaries and several Congressmen were its members. Also a high officer of the Foreign Department has always been its member or an invitee to all its meetings. Copies of all the important correspondence are always sent to the Foreign Department.

Public men must not only be honest but also appear to be honest. They must be like Caesar's wife; nay, even more, because Caesar's wife was not above suspicion.

Then a Member of this House belonging to the fair sex treated me unfairly. She said that Ashram workers were coerced to work for me in the elections, on pain of being deprived of their livelihood, in spite of the fact that they were in sympathy with the Congress. People are not coerced to canvass votes. If they are, they are likely to work against those who coerce them. I challenged her statement. The charge may also be investigated by you or the Committee I have suggested.

If these Members cannot prove their charges, the least they can do is to withdraw them. If they do not, they will be casting doubts not only upon my honesty but on the working of the institutions that have for years been doing philanthropic and charitable work and enjoying the confidence of the people and they will also be lowering the prestige of this august House. Such charges involve the privilege of the House. If because some Member of the Treasury Benches, present or past, is criticised and as a result, wild charges are brought against the critic, the Members may be afraid to do their duty by the public.

Sir, as these defamtory statements were made on the floor of the House, under its privilege, my remedy can lie only with you and with this House. Thank you.

Shri Hari Vishnu Kamath: I hope some action will be taken as suggested by my hon. friend.

Shri Ansar Harvani (Bisauli): Sir, I have the greatest respect and admiration for Acharya Kripalani. I belong to that generation which was inspired by him and men like him to join the national movement and suffer and sacrific for the freedom of our country. In fact, I am nearer to him than to many Members on my own side, who had not joined the freedom struggle. When I spoke on August 21st and 22nd, in defence of the Government headed by our great Prime Minister, I spoke with a full sense of responsibility. My allegations against Acharya Kripalani in reply to his wild remarks agains tthe Congress Government were based on facts which were to my knowledge. All that I have said, I have said in good faith and I still stand by them. (*Interruptions*).

Shri Hari Vishnu Kamath (Hoshangabad): That air must be cleared.

Shri Hem Barua (Gauhati): A committee should be appointed immediately.

Mr. Deputy-Speaker: Futher consideration of the following motion . . .

Shri Nath Pai (Rajapur): Sir, may I seek your protection and guidance? This is a matter that does not concern the two individuals who have taken part in making statements. It touches upon the integrity of the whole House and the modes we are going to set up. May I reiterate the suggestion made by Acharya Kripalani that you will have to look into this matter? Here Acharya Kripalani has all the evidence that he could muster and seeks protection, because it is his integrity that has been challenged. But, Sir, in a remote manner it is the integrity of the whole House that is involved. If Mr. Harvani is going to insist—he has every right to do so I think—that he has acted in good faith, the only remedy that remains to us,

[Shri Nath Pai]

because we want to shield our own reputation, is that you look into the question of appointing a committee. If we do not do that, I think we shall have miserably failed in our duty.

Mr. Deputy-Speaker: Both the statements are now on record. If the hon. Members wants any further action to be taken, they are at liberty to make any motion to the House.

Shrimati Subhadra Joshi (Balrampur); May I say . . .

Mr. Deputy-Speaker: Nothing more now, further consideration . . .

Shri J. B. Kripalani: May I suggest this is not fair to me? Either you say that no commitee will be appointed and nothing will be done and those charges will remain in the debates of the House or something should be done.

Mr. Deputy-Speaker: If any action has to be taken, the hon. Member will have to make a motion. They know the rules.

Shri Nath Pai: Before the hon. Prime Minister leaves, may I make an appeal to him as Leader of the House that this matter need not be treated as a party mater so lightly, involving the integrity of two individuals? This is of the greatest importance to all of us. We have to evolve a proper procedure. (*Interruptions*).

Mr. Deputy-Speaker: Order, order I am saying that hon. Members are at liberty to table any motion.

Shri Nath Pai: As Leader of the House, the Prime Minister has a responsibility in this matter.

Shri Hem Barua: As Leader of the House, he should say something.

Mr. Deputy-Speaker: Unless there is some motion before the House . . . (*Interruptions*).

Shri Hem Barua: It is a very strange thing!

Shri Nath Pai: Why have the institution called Leader of the House if we cannot get any assistance from him?

Mr. Deputy-Speaker: I am saying that the hon. Members are at liberty to table any motion according to the rules. The Speaker will certainly look into it.

Shri M. R. Masani (Rajkot): Would you admit a motion now, Sir? Would you allow us to move a motion just now?

Mr. Deputy-Speaker: Not now. Notice will have to be given and the Speaker will have to take action on it.

Shri Surendranath Dwivedy (Kendrapara): We had no notice that Mr. Harvani was also going to make a clarificatory statement. The matter is before the House. Acharya Kripalani has made a suggestion. He stands by his previous allegations. I think the matter is before the House. The Leader of the House is there. We may appoint a committee here and now. This may be taken as a formal motion.

Mr. Deputy-Speaker: That is not the way we have to proceed. I am suggesting to hon. Members that they are at liberty to make any motion.

Shri Nath Pai: The Prime Minister is always quick on his lags whenever anything happens, but now . . .

Shri Radhelal Vyas (Ujjain): He has also raised the question of privilege, Sir.

Shri Bade: On a point of order, Sir. Mr. Nath Pai has moved the motion now.

Mr. Deputy-Speaker: Due notice has to be given of the motion.

Shri Hem Barua: Why this silence on the part of the Prime Minister?

Mr. Deputy-Speaker: I am not calling on the Prime Minister to make any statement. He is not concerned.

Shri Hem Barua: When the Prime Minister does not say anything, it is a reflection on him also. He is a silent party to this. (*Interruptions*). We would request the Prime Minister to make a statement on the floor of the House in all sense of justice. (*Interruptions*).

Shri Tyagi: It is neither that party nor this party. It is a case of two individuals.

Some Hon. Members: No, no.

Mr. Deputy-Speaker: Order, order.

Shri H. P. Chatterjee (Nabadwip): It is not between two individuals. The Prime Minister is the Leader of the House and he should answer it. He is silent. He is failing the country.

Mr. Deputy-Speaker: Order, order. When I am standing, hon. Members should sit down.

Shri H. P. Chatterjee: Charges have been given and he is silent. Why should he be silent?

The Prime Minister and Leader of the House (Shri Jawaharlal Nehru): I am really surprised at the way some hon. Members opposite are excited about it and repeatedly point to me. This is the first time I have heard about it. I have listened to the statement of Acharya Kripalani, I do not know; I cannot immediately suggest something. If something is put forward, we can consider it, I am sure the Speaker will consider what is being said and will propose something.

Mr. Deputy-Speaker: That is what I said.

Shri Hem Barua: Is it not crystal clear to you, when you compare the two? From the statements, can't you understand what is the motive behind it?

Mr. Deputy-Speaker: Order, order; the Prime Minister is on his legs.

Shri Hem Barua: He is an intelligent man and he should understand.

Shri Jawaharlal Nehru: The hon. Member may be very well-known, very much admired, etc. But as Mr. Tyagi said, it is a matter between two persons.

Shri Hem Barua: It is not.

Shri H. P. Chatterjee: You are protecting that Member.

Shri Jawaharlal Nehru: The hon. Member opposite is much too excited. I do not know whom I am protecting and why I am protecting. I am merely saying that this matter has to be considered by the Speaker and whatever he suggests, he will place before the House and the House will determine what should be done, I cannot straightway say anything.

Mr. Deputy-Speaker: That is what I suggested earlier. Hon. Members will make a motion and the Speaker will certainly consider it.

Shri M. R. Masani: I think the Prime Minister has put it quite correctly. What he said is that it is for the Speaker to consider and take the initiative. It is not necessary for Members to be forced to make a motion. We will be grateful if the Chair, as the guardian of our privileges and our honour considers Acharya Kripalani's request and takes a decision on it. I would request you to convey it to the Speaker.

Mr. Deputy-Speaker: I will convey this to the Speaker to consider it.

Shri J. B. Kripalani: May I say a word?

Mr. Deputy-Speaker: I think the matter is closed now. The Speaker will certainly consider all the statements made on the floor of the House.

Shri J. B. Kripalani: The Prime Minister has said that he agrees with our friend Shri Tyagi that it is a question between two Members.

[Shri J. B. Kripalani]

I have made it very clear in my statement that it is a question of public institutions and also a question of the privileges of this House.

Shri Tyagi (Dehra Dun): What I wanted to say was that Shri Kripalani's complaint is against an individual Member of this House, not against the party as a whole. The hon. Member has not spoken on behalf of the party as such. An allegation is made by a Member, which is refuted. The Member insists that his allegation stands. So, Sir, the case is there for you to decide. What I want to say is—and the Prime Minister has made it clear—please do not take it that the party as such has accused; nothing of that sort. It is a case between wo individual Members.

13 hrs.

Shri Hem Barua: He does not represent you, that is what you say? (*Interruptions*).

Shri Hanumanthaiya (Bangalore City): Kindly permit me to say a few words. This has arisen for the first time. I am one with hon. Members on my right that the prestige of the House should be safeguarded, but, at the same time, they must realise the implication of their demand. Today if you give authority to the Prime Minister or the Speaker to institute an enquiry straightway, you yourself would later say that they manoeuvred to institute an enquiry in regard to a Member whom the Speaker or the Prime Minister did not like.

An hon. Member: No, no.

Shri Hanumanthaiya: Please keep quiet.

So, the ruling that you have given guarantees the rights and privileges of the House in a perfect manner, because a Member must be tried by his colleagues; not by an individual, whether it is the Speaker or the Prime Minister. Therefore, when you make a proposition that the House must approve of a particular procedure regarding the institution of an enquiry, then full protection is guaranteed to the rights and privileges of the Members. I want hon. Members to appreciate my point of view that in our anxiety to get the enquiry made, or investigation started, we should not unwittingly hand over our rights to an individual so that he may do whatever he likes. Therefore, please sponsor a proposition in that way. We are here to support you.

Shri Harish Chandra Mathur *rose*—

Mr. Deputy-Speaker: I think it should be treated as closed.

Shri Harish Chandra Mathur (Jalore): I think it is a very serious matter which affects every sitting Member of this House. There is great force in what Shri Hanumanthaiya said, but I wish to add something more. I wish to remind you that when certain wild allegations were made by Shri Bagri on the floor of this House against Shri Humayun Kabir, it was the Speaker who *suo motu* wanted to get into the matter and wanted Shri Bagri to substantiate the allegations. He took the initiative in this matter. If any member feels strongly about it, as Shri Humayun Kabir did when wild allegations were made against him, it is for the Speaker to take action, as he did on the previous occasion, when he took upon himself the responsibility to see whether there was a *prima facie* case or not and then asked the House to proceed in that manner. So, the Prime Minister does not come into the picture. He owes no reponsibility in this case. It is not a party case. It is not Congress Party any other party, accusing each other. It concerns the entire House and the procedure of the House. There is a precedence in this matter where the Speaker took the initiative on his own. When I went to his Chamber

at that time, he told me "I do not like wild allegations to be made on the floor of this House and they go unchallenged". If any particular Member takes exception to the remarks that have been made by another Member, certainly, you can expect from the Chair that *prima facie* an enquiry will be made into it, then the House will be taken into confidence and something will be done about it so that in future no wild allegations are made either by this side or that sid

Some Hon. Members *rose*—

Mr. Deputy-Speaker: I am not allowing any further statements.

Shri Harish Chandra Mathur: I only wanted to quote the precedent.

Shri D. C. Sharma: Sir, may I submit.....

Mr. Deputy-Speaker: I am not going to allow a discussion.

Shri D. C. Sharma: But, Sir, you have given opportunity to some Members.

Mr. Deputy-Speaker: Shri Sharma will please sit down. The question is under what rules the enquiry has to be made. The Prime Minister has suggested, as I have suggested earlier, that a motion may be made. It will strengthen the hands of the Speaker also. All the discussion that has taken place will be considered by the Speaker and he will take whatever action is necessary to be taken.

Shri M. R. Masani: May I plead that you should not press for a motion? Let the Speaker consider this question.

Mr. Deputy-Speaker: All right. This question will be considered. Now we will take up the next item.

13.05 hrs.

COMPANIES (AMENDMENT) BILL—*contd.*

Mr. Deputy-Speaker: The House will now take up further consideration of the Companies (Amendment) Bill, as reported by the Select Committee. One hour and fifty-five minutes remain. Only ten minutes for each Member.

Shri Heda (Nizamabad): Mr. Deputy-Speaker, before I give my support to this Bill I would like to welcome the policy statement made by the Finance Minister. I am happy to note that a number of Members have also welcomed it. I welcome his radio speech in last October and I hope he will continue this new method and thereby take the House and the nation into confidence and give them some indication of the state of affairs of our economy. I would only say that he should use a language which is more understandable to the common man.

Coming to the Bill, within the limited time at my disposal, I will take one or two points. The first point, which is the major and most controversial point, is regarding clause 5. The Finance Minister in his statement has mentioned that the implication of this clause, on which there is a controversy, is very much limited. If I may be allowed to read out a few sentences from his speech, he says:

> "It has been mentioned to me and there has been some discussion outside about this particular clause whether the intention of the Government is to include loans issued by corporations over which Government has control, like the IFC and so on. I may at once deny that there is any such intention. The loans that are sought to be covered by this provision are loans directly given by Government and it is not

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even expected to include the loans given by the National Shipping Board for the purpose of encouraging shipping industry in this country. In fact, according to the information that I now possess, the total number of loans covered by this provision would be five, of which one happens to be a company in which Government have partnership of 50 per cent—Oil India. One happens to be a very small company where four lakhs of a five lakhs loan has been repaid. Another happens to be a loan of Rs. 13 crores of which possibly Rs. 50 lakhs have been paid. That leaves only two steel companies as the major concerns to have taken a loan from the Government to whom this clause might apply."

Though the Minister has referred to direct loans by the Government and interpreted the clause as such, if you look at the clause, as it is at present worded, it does not necessarily bear out that interpretation. Therefore, I would suggest that he should come forward with a suitable amendment so that there is no suspicion or doubt or any other interpretation and the intention of the Government is made amply clear. Since the term used in the clause is "Government loan", whatever the Finance Minister may say, the executive will certainly go by the law as it is passed, and not by the explanation given by the Finance Minister in this House. Therefore, not only the I.F.C. or the Shipping Board, but so many other corporations would be brought in and loans would be accepted as the loans given by the Government. In a broad sense, the giving of loans by Government generally gives the idea that the loans are at hundred per cent disposal of the Government. If you look at the Shipping Board or the L.I.C. or other funds, they are hundred per cent in the hands of the Government. Therefore, it is quite possible that the mischief of this clause would expand its arena and would not be limited to the five companies as he has mentioned. Now, he has already mentioned that out of these five companies, two do not come at all in the picture. The one is Oil India which is almost a Government company—50 per cent partnership—and in fact it is in the public sector. The other is the small company where Rs. 4 lakhs out of Rs. 5 lakhs have been paid. Only the two steel companies remain. Therefore, it may give an impression to the people at large that the entire object of this clause was to hit or to have control over these two steel companies and if that is so, it would not be a proper thing. So, it is time that the Government may consider over it.

Again, I have experienced—and I have stated earlier also—that many times Government take power and do not use it. Whenever they come forward with a legislation and ask for more and more power for themselves, they say that this is what is happening and that is what is happening and so they would like to remedy all these wrong things. But having taken the power, they hardly use it. Here again, I fear that in spite of such a great controversy, the executive may take power and would not use it. And if they are not going to use it, then why take the power unnecessarily and create expectations or suspicions among the minds of certain sections of people and thereby cause unnecessary unrest? From that angle also, I feel that the implication or the focal point in clause 5 becomes unnecessary or undesirable.

The other thing that I would like to take is about the trust. Shri Masani elaborated his point and said that trusts are charitable organisations and, therefore, they should not come under the mischief of taxation.

In fact, if you just look at the history of these trusts and how they were started and all that, you will come to know that it was in the United States that such a development started. Senior Ford, when he invented this organisation, felt that if he was to pay such a heavy duty, then after his death, his sons, his heirs, will not have the controlling interest in the company itself. Therefore, he thought of this innovation and he transferred all his shares to a trust and thereby he got rid of the estate duty and not only that, he maintained the controlling interest in all his undertakings and from that time till now, maybe about 50 years or more, the trust is having controlling interest in all his undertakings and many times there is hardly a member of his whole family on the trust. All the same, the control remains there. Whether charity is good or bad from a philosophical point of view, I would not like to discuss. The only word about it I would say is that when we think of social security, when we talk of socialism, when we say that it is the duty of the State to look after every man, every woman and every child, individual charity has no place in the scheme of a socialistic society. Therefore, we should not be very much carried by the pious or religious sentiments generally attaching to charity.

The second thing is that a trust, whether it is charitable or anything, is an economic activity which starts new organisations and earns crores of rupees. Why should it not give money to the Government in the shape of taxation. Why should it evade that taxation and pool the taxes in something else? It is said that because of this, it was possible for Tatas, for example, to have a magnificent organisation at Bangalore of which you and I and everybody has got great appreciation. True. But even otherwise what will happen? The money would have gone to the Government and since the Government believes in a welfare State, the money that would have come to the Government would have gone for the welfare of the State itself. The only apparent benefit that appears to be there is that the taxation that is saved by the trust is utilised for the public good by certain individuals or group of individuals. If those trusts are not condoned, are not exempted and they are taxed as every other economic activity is taxed, the money that Government would have got through the taxation would also be spent for the welfare of the State. Therefore, Shri Masani should not have all those compunctions which he had expressed.

With these words, I support the Bill.

Shri Morarka (Jhunjhunu): Mr. Deputy-Speaker, Sir, I welcome the Bill as it has emerged from the Select Committee. The Select Committee has done a lot of good to and has introduced many improvements in this Bill. We must be thankful to the hon. Finance Minister for accepting the various amendments at the stage of the Select Committee which have definitely improved the Bill and which to a great extent reduced the regours of those provisions.

There is one clause in particular which has raised a lot of controversy as there is a difference of poinion between the Selct Committee and the Government. I would like to say a few words about that. What I feel is that the provisions of that particular clause are not fully or properly appreciated and hence most of the misunderstanding is based on an inadequate appreciation. I am referring to clause 5 of the Bill.

This clause 5 seeks to amend section 81 of the Companies Act. Now, section 81 deals with the further issue of capital, that is, when an existing company issues more shares, how those shares should be allotted. That is what section 81 prescribes. In that section, it is said that in the interest of equity and justice, new shares must be issued in certain definite proportion

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to the existing share-holders. Then there are certain exceptions to this general rule. What are those exceptions? One is that if it is considered in the interest of the company that some shares should be issued to persons other than the share-holders, then by a special resolution that can be done. That is not being touched at all.

The next provision which exists in our existing law is that if the debentures or loans are issued by or taken by the company, then in that case if there is a provision in the terms of that issue or of the loans, those loans or debentures could also be converted into equity shares. That is the existing provision. But the existing provision qualifies this right by three conditions. Firstly, there must be a provision in the existing agreement; secondly, even if there is a provision in the agreement, this agreement must be approved by the share-holders by a special resolution and thirdly, even after this is approved, it must be sanctioned by the Government. If these three conditions are fulfilled, then and then alone the loans or debentures could be converted into equity shares.

Now, under the new scheme of the Bill, the Government proposes to divide these debentures and loans into three different categories. The first is, loans and debentures belonging to the public; the second is, loans and debentures belonging to Government and Government institutions like the LIC and the IFC., etc. and the third is loans from the debentures to the Government itself. For these three categories, three different sets of conditions have been laid down. For loans from the public or the debentures issued to the public, the same set of conditions exist, namely a term in the agreement, approval of the shareholders by a special resolution and approval of Government. For the second category, namely loans from Government and Government institutions or debentures issued to them, there are only two conditions needed hereafter, namely a term in the agreement and the approval of Government. For the third category, namely loans from or debentures to Government themselves, the basic or main amendment is that hereafter, it does not require any qualification; that is to say, there is need neither for a term in the agreement nor for approval of the shareholders nor for permission from Government. If, Government give a direction, then the company concerned shall have to convert that. Government can do this even in respect of the past loans.

There are three grounds on which this amendment of Government can be objected to, and in fact, has been objected to. One is the constitutional or the legal ground, the second is the ethical or the moral ground and the third is the practical ground.

So far as the constitutionality is concerned, there are more competent Members in this House who would speak and give their opinion. But to a layman like me also, it strikes that you should not and you cannot violate the sanctity of a contract unilaterally without the consent of the other party. If a contract between two individuals is violated, then the individual has a recourse and has the remedy or can seek redress in a court of law. But when there is a contract between Government and an individual, and Government violate the sanctity, the individual has no redress. So, strictly on this contractual aspect, I agree that the sanctity of the contract is being violated to some extent.

Similarly if you take the ethical side of it, it sounds very normal that once a contract is entered into on certain terms and conditions, you should not change them without the consent of the other party, unless there are certain overriding conditions, and unless it is so required in the interests of the country or under certain emergent conditions. You know, Sir, and the House also knows that time without number, the House has resisted

and Government also have resisted the demand for the abolition of the privy purses, mainly because they say that there is a contract and they cannot violate that contract; that is an obligation which no self-respecting Government can ever repudiate. With great respect and in all humility, I agree with those sentiments of Government.

But my most important point is regarding the practical aspect. As the hon. Finance Minister has pointed out in his speech, while moing the Bill as reported by the Select Committee for consideration, the practical impact of this provision is that only two steel companies would be essentially affected. If I may say so, this argument cuts both ways Firstly, since it is going to have such a narrow application, why should people bother about it? At the same time, if this provision has such a narrow application that it is going to touch only two companies . . .

Shri P. R. Patel (Patan): Which two companies?

Shri Morarka: The two steel companies. In that case, why have this provision, which, to say the least, is not quite ethical a provision which in a way violates the sanctity of the contract. But, that apart, according to me, there is another practical aspect of this proposition. The fear that Government want to have backdoor nationalisation by means of this provision is not quite correct. For, after all, what would be the effect of this provision? The effect would be that Government can direct that the loans given to a certain company should be converted into equity capital. What would be the terms and conditions of the conversion? Those terms and conditions would not be arbitrary. In the first instance, Government would determine the terms and conditions, but then, those terms and conditions are subject to adjudication by a High Court, and if the High Court feels that the terms and conditions fixed by Government are not reasonable, then the High Court has a right to change those terms and conditions. In any case, the rate of conversion cannot be lower than the market rate.

If you will kindly see clause 4, the proposed sub-section (4) of section 81 reads as follows:

> "....the Central Government may, if in its opinion it is necessary in the public interest so to do, by order, direct that such debentures or loans or any part thereof shall be converted into shares in the company on such terms and conditions as appear to that Government to be reasonable in the circumstances of the case, even if the terms of issue of such debentures or the terms of such loans do not include a term providing for an option for such conversion:":

Then, the proposed sub-section (5) of section 81 reads thus:

> "In determining the terms and conditions of such conversions, the Central Government shall have due regard to the following circumstances, that is to say, the financial position of the company, the terms of issue of the debentures or the terms of the loans, as the case may be, the rate of interest payable on the debentures or the loans, the capital of the company, its loan liabilities, its reserves, its profits during the preceding five years and the current market price of the shares in the company."

Then, the most important provision, namely proposed sub-section (6) of the same section says:

> "If the terms and conditions of such conversion are not acceptable to the company, the company may, within thirty days from the date of communication to it of such order or within such further time as may be granted by the Court, prefer an appeal to the Court in

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regard to such terms and conditions and the decision of the Court on such appeal and subject only to much decision, the order of the Central Government under subsection (4) shall be final and conclusive.".

So, the point is that these terms and conditions are subject to judicial review. When Government nationalise a company, the quantum of compensation is not a matter of judicial review, and it is not a justiciable issue. But, here, in this case, when loans are being converted into equity shares, the terms and conditions of such conversion are subject to judicial review.

But the main point is this. If Government want to convert their loans into equity shares and convert them at the market price, what is the necessity for this provision? The shares of these companies, particularly, the two companies which the hon. Minister has mentioned, are available in the market like apples and bananas and you can buy them to any extent. i.e. buy the equity shares. You have got the LIC, then you have got the Unit Trust, and you are also going to have the Development Bank under your control. You have only to ask them to buy as many shares of these two companies as you like . . .

Shri T. T. Krishnamachari: Government are not powerless.

Shri Morarka: I know that Government are not powerless, and if they want to have equity shares, they have got ways of getting them, but they can have them only at the market rate. So, there is no point in people suspecting that it is backdoor nationalisation or that Government want to usurp the voting rights etc.

In conclusionu, I would say that joint-stock management is essentially based on democratic principles, namely the rule of the majority. Certain important things are reserved not to the bare majority but for special resolution. Some more serious things are reserved for special resolution with Government's sanction. Still more serious things are subject to special resolution, Government permission and court order. These are the valuable safeguards which are provided in the charter of a corporate body. Then, you have got provisions for preventing oppression of minority mismanagement etc. This tendency to regulate the detailed management and to legislate for each and every single agency in a way gives the bureaucracy unprecedented power. That does not help the growth of the corporate sector, and that does not help anybody. On the other hand, it gives an instrument of oppression in the hands of the bureaucracy, and it is likely that it is, more often than not, abused.

I would, therefore, submit to the Finance Minister that while the scheme of these amendments is in the larger national interest, he should not give more and more power to the bureaucracy and take away the rights of the shareholders themselves to manage the company in accordance with their own wishes.

Shri Sachindra Chaudhuri (Ghatal): I shall be very brief and will not take any extra time.

The Companies (Amendment) Bill, as it has emerged from the Select Committee, is totally acceptable. So far as the scheme of the amendment Bill is concerned, it is really divided into three parts.

One is really to speed up the procedure of law. Where there is mismanagement of a company, in the sense that the management is either working to the prejudice of the company or is oppressing the minorities, provision had been made in sections 397—407. But it has been found by experience—it is also my experience —that when the matter goes through the usual channels, the courts having regard to the pressure of business to be disposed of, are not able to correct this state of affairs until after two or three years of the reference.

From that point of view, certainly a tribunal, which has got in it the experience of a High Court Judge or someone capable of being a High Court Judge, is an improvement on the present state of the administration of the law, and there should not be any difficulty about that.

The next is the provision contained in section 10E for the constitution of a Board of Company Law Administration. These functions are now being carried on by the Department of Company Law Administration, and it is probably better that a Board should be nominated which should be independent of any influence, which will operate independently, having regard only to what is good for the company.

The third part is really the deprivation of certain rights that company shareholders have. So far as the trustees are concerned, a trustee when he is entrusted with voting on certain affairs, votes as if he is a proper trustee that is, working not to his benefit, but to the benefit of the beneficiaries, in other words, those that derive benefit from it. In practical application, it has been found that that perhaps is not the only motive which works always with all trustees.

Now, there is not very much difficulty so far as the national interest is concerned, when the trustees are entrusted with a small block of shares in a large company. Therefore, with the limitations that have been put on the functioning of trustees by themselves, I think it cannot be said that it will be a hardship if in a particular case the official trustee who has been appointed takes over the function of voting and managing the shares. I can read out the relevant portion, but it will take time. But hon. Members must have seen that there are certain exceptions made as to trustees who hold a small quantity of shares, not more than a certain percentage of the shares or not more than a certain amount in value of those shares. So there ought not to be really any very great alarm. Also a public trustee is expected to function properly.

So far as the right of voting is concerned, the right taken away from the trustee who is appointed by the parties is being transferred in certain event to the official trustee. But what is being done is really not so much depriving the beneficiaries as depriving the trustee of this right who has no more and no less than fiduciary relationship. That relationship still continues. The action of the public trustee functioning in the interest of the beneficiaries would certainly have a corrective effect. Therefore, there is not that very great deal of harm or injury being done. I entirely agree with the Select Committee's decision.

The next question that arises is a tricky one; there has been a certain amount of excitement about it, and we are all being exercised about it. Shri Morarka, in a very able speech, dealt with the point, namely the conversion of debentures into equity capital. Now quite candidly, so far as the constitutional or legal aspect is concerned, it is something which does not trouble me, in spite of the fact that I am a lawyer. I feel that if it is recognised that there is a general principle involved where it is necessary to legislate, and as the Constitution stands at present such legislation is not permitted, it will be for this House to decide whether the Constitution should give way or not. After all, the Constithtion is meant for the country and not the country for the Constitution. Therefore, whatever the legal consequences may be, I believe—let me say make it quite clear—at the moment there is considerable doubt as to whether this change is constitutional or not. I am not, as I said, at this moment troubled about it; if necessary, the matter can be argued. But the point is: is it so necessary that we should introduce it? The argument which appeals to me most against this provision of omitting the two steel companies from the general provision which is being made about all companies is this, that the Government has entered into a bargain with these two companies. As

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it is, the companies, as far as we know, are not working too badly. If they are, there are other means of correcting them. But is it necessary that the Government should have its money invested in the shape of equity shares? Two questions arise out of this. Firstly, whether it is a good thing, having regard to the contract? These companies, on the footing of loans given by Government, have entered into other arrangements and other agreements with other financiers, whoever they are; and in these two cases referred to by the hon. Finance Minister, there are loans from outside, from abroad. Meticulous examination was made of the affairs of the company, its capital structure, its loans and so on, before loans were advanced by outside agencies or outside financiers. If there is a change now, there is an apprehension in the minds of these outside financiers that in India there is no stability, and in consequence of that there can be any alteration to the rights of the shareholders and alteration of the rights of the lenders where the lender is the Government. That does not, to my mind, appear to be healthy for the better growth of finance and of industry in this country. That is a matter for which I feel that these two companies might have been exempt.

But the more basic question is this: Where there is no default, where the company is running well, is it proper and fair that Government should convert its loans into equity shares? If that money comes back, as it should, if the company is well run, Government can use it for expansion in the public sector or lend it to the private sector again. If that money is locked up in these particular companies,—money which is already delayed—in the shape of equity shares, then the fate of that money is bound up with the fate of those companies. From the point of view of principle, it will be for the Finance Minister to consider whether this is a good thing or a bad thing. But speaking for myself, it appears to me that on principle it will be putting that money into baskets in which we did not originally intend to put. We had originally intended to get that money out. This is a matter on which some thought has to be given. Undoubtedly, where there is a default, that has got to be corrected, and if Government wishes to have a further right in the event of default being made, of converting that money which was loaned to the company into equity shares for the purpose of managing those companies, it would be a welcome thing.

Therefore, I would ask the Finance Minister to consider whether it is possible for him to have a general provision, and not make an exception of these two companies, because there is a lot to be said against such an exception being made, that the power to convert debentures and loans into equity shares will be exercised in every case where there is some default, not necessarily in the repayment of the loan, but in carying out the conditions under which the loan has been given, after giving a period of notice, one month or three months, whatever period he consider correct. He is a far better finanicer than I am, he understands company administration better than I do.

Shri Joachim Alva (Kanara): You are a great lawyer.

Shri Sachindra Chaudhuri: You may say so, but I say that I put the law behind me, because it has to yield to the necessities of the country and not tie it or hamstring it. Therefore, I am not on the legal question, I am on the question of what is practical, what might create a certain amount of fear in the country, and which, if removed, will probably help the growth of companies and industries.

It is a further protection that wherever there is a question of conversion, the matter will be placed before the House. So, I would request the Finance Minister to consider whether it

is possible for him to delete the proviso and incorporate it in the section itself, stating that the powers would be exercised only in case of default, and, of course, in the public interest.

Shri Joachim Alva: I welcome this Bill.

The Finance Minister is the emblem of the reservoir of our money, but he is also the emblem of the reservoir of powers, and I would like him to exercise those powers impartially and objectively. I do not want that the companies with which Shri Masani has been associated should have a complaint that by this legislation they are treated harshly, while the other set of companies go scot-free. The genuine complaint of clean businessmen is that they are treated harshly though they are ready to obey all the injunctions of the law, but the others who are black are in the majority, who resort to all kinds of subterfuge methods and arrange to pressurise the Government and so on. That is the crux of the problem.

Government has brought forward a very welcome measure. Shri Masani, who is not unfortunately in his seat just now, attacked the Government, attacked the Prime Minister and the Finance Minister, and said that both of them concentrated enormous power in their hands. But the source of the power is the people, the power is with them on behalf of the people of India. If you go to the remotest village and tell the villager:

"देखो जी, गवर्नमेंट ने एक करोड़ रुपया उस फ़ैक्टरी वाले को फ़ैक्टरी बनाने के लिए दिया । उस फ़ैक्टरी वाले ने उस रुपये का ग़लत इस्तेमाल किया है और ब्लैक मार्केटिंग किया है । इसलिए क्या गवर्नमेंट को उस फ़ैक्टरी मे भाग लेने और उस के काम को अपने हाथ में लेने का अधिकार है या नहीं ?"

I am sure the villager will say:

"हां, साहब, उस को इस में भाग लेना चाहिए ।"

This villager does not know any law, nor politics nor economics, but every measure that comes before this House has to be judged by only that one test, and that one test is how far it affects the people of India, the public of India. That is why Shri Masani was not altogether kind, just and charitable when he attacked the Prime Minister and the Finance Minister that this was not a question of anybody's high office.

Till 1960 all the capitalist-run organisations had a wonderful run, they have become richer in these 60 years than any time in the history of India. A survey has been taken of the relative positions of the public limited companies and the private limited companies which is given at page 64 of *Economic Information*, 1963. In 1962-63 the figures were as follows. Public limited companies were 6,022 while the private limited companies were 19,407, making a total of 25,429 companies in India. So far, so good. The paid-up capital of the public limited companies was 10,066 milion rupees, while that of the private limited companies was 10,644 million rupees, so that the paid-up capital of all the companies in India was 20,701 million rupees. From whose pocket has all this capital come? It has come from the sweat and toil and blood of the poor workers, it has come from the men who run the factories. But there are capitalists who want to change their cars, big model cars, every six months, while the poor Prime Minister goes in a small car bending down. There are people who are not content with changing the model of their cars. We should not import any cars, they should be content with our own cars, but that is another story.

Out of these 10,644 million rupees, not even 15 per cent belongs to the big capitalists who say that they pay

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the taxes, that they run the Government. They take the money from the people. These are figures which I have got from the *Economic Information*, 1963 issued by the Ministry of Finance, which is available to every Member of Parliament.

When this is the state of affairs, it is time we read the great report drawn up by Mr. Vivian Bose. A judge of his calibre and ability will not be found in any part of the world. I read only 25 pages of that report, but my blood boiled, and I am sure the blood of any one who reads it will boil. If such a report had been presented in the House of Commons, the Prime Minister would have had to resign. But we have a very honourable, noble Prime Minister. He is not the only individual as Shri Masani says. There are others also. Other things happen. But the Vivian Bose report sooner or later must be implemented, and evil-doers must be punished. If we cannot punish them, this democracy has no economy in it, no strength, no eyes, no hands. It is not a question of you and me, but we have to see that these things move.

Shri Masani spoke of another company, I forget which. I made only mental notes. He talks of Unilever. They have got capital resources, they have got reserves in other parts of the world, in Africa. It is the largest company in the world in that line, and how can we stand against them?

I would like the Finance Minister to put a Chartered Accountant in the Tribunal. Let the members of the Tribunal not be mere dummies of the Government of India's bureaucracy, but real first class High Court Judges. We cannot have High Court Judges also who attend birthday parties given in their honour by people who are in the black list of—I will not say what I said on a former occasion. We must have upright Judges, we have plenty of them. We must have them on the Tribunals.

When the loan of Rs. 10 crores was given to Tatas, I myself objected to it, because it was against our interests, but that is another story. But if you have agreed to charge them no interest, it is time you honoured that. There is such a thing as the sanctity of the word given. If you say that this is an emergency and so you are going to do it, that is another point. But turning the loan into equity because there is misconduct etc., is a thing that is valid. It is the stock exchange that leads to the miseries and tribulations of the people. I have seen the New York Stock Exchange. At least there you feel like buying something. But the Bombay Stock Exchange is a worthless bazar where each one runs about, doing all kinds of manipulations, whatever he likes. I am glad the Government can step in now into some of these large public limited companies and private limited companies and become directors by having equity capital. Government has lent crores of rupees to these companies. There is no harm in private sector companies but it is the banks that aid the black marketeers to take money night and day, even when there is a run on the bank. It is they who advance money to buy newspapers. So, unless he goes ahead with the nationalisation of banks, unless he goes into the financial position and ownership of newspapers owned by capitalists we cannot have real democracy in this land.

Shri Bade (Khargone): For the last two days, we are discussing the amendment to the Companies Bill. My learned friend who preceded me with a pitched voice has not really understood the real and important points; so he raised his voice. In courts, a lawyer arguing a bad case usually raises his voice to convince

the Judge. That is the attitude he adopted here. In the Select Committee, many persons from the Congress Party, Mr. Tyagi, Mr. Morarka, agreed to the report of the Select Committee.

Mr. Deputy-Speaker: What happened in the Select Committee should not be disclosed here.

Shri Bade: They have signed the majority report: therefore, I say that they agreed to that.

Mr. Deputy-Speaker: No names.

Shri Bade: May I say that my main objection is to clause 5. Government wants to turn their loans into share capital. The relationship here is one of creditor and debtor: they are bilateral relations. I do not want to take the side of Tatas or Birlas. I speak of moral and legal considerations and when there is a contract, it cannot be broken by unilateral action by a single party. The powers to turn loans into share capital should not be retrospective. For the prospective contracts, you may include it in the terms of the contract. But you should not take any such authority in respect of the contracts that are already there. In common parlance it is cheating; in villagers' language it is 420.

Shri Nambiar (Tiruchirapalli): It is public money; it is to be repaid.

Shri Bade: Suppose I am a money lender and he is a borrower. Can I change my loan into share capital in his companies? The courts will not allow that. Suppose a company is not doing well or it goes into liquidation. If it is retained as loan, it will have the first claim over the shares. So, Government will not turn their loans into share capital in respect of companies suffering losses: they will do so only in cases where they are doing well. Then, the price of shares will be lessened because Government will have a strong hand in the company. Suppose I have Rs. 25000 worth shares in a company and I secure a loan from Government for 70,000, and Government turns it into shares, it will be a Government company. This is called backdoor nationalisation and it has been criticised in all the newspapers. I heard in Jaipur that Congress is going to have democratic socialism What is it? The other day, the whole Parliament was adjourned for three hours because they wanted to attend a meeting where they said that the Select Committee's report should not be considered and Shri TTK agreed to that. It means that by pressure and by brute majority, they want to pass the original Bill. In all decorum, the Government should accept the report of the Select Committee.

About the trusts, our hon. Finance Minister said on 28th November 1963 that there would be provision for exemption of genuine trusts created for safeguarding family interests or charitable or educational interests. Now, he backs out and says that it is applicable to all trusts. When a doner creates a trust, the understanding is that he will have the right to vote: it is very important right. The right to vote is called even property. So, in all cases Government will appoint a person and that person will vote on behalf of the trust created by some other person. It will be done in 'public interest'. This is a term which is most mischievous, nebulous and monstrous. It can be used in any way at the sweet will of the officer of Government, who will be guided by some Congress Ministers. The right to vote in the trust should not be taken away from the charitable and family trusts as was originally stated by the hon. Minister.

Then there is the provision relating to appellate jurisdiction, which is contained in sub-clauses (a) and (b) of clause 3, 10D (1). It is said that there will be an appeal on the decisions arising out of the findings

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of the tribunal. "Arising out of the findings of the tribunal" means this: let us suppose the tribunal has no findings at all. Then there would be no appeal. So, the clause should provide that there will be an appeal on the order or the finding of the tribunal.

14 hrs.

Another provision is about the removal of manager. If Government removes the manager or the director, and when the company wants to appoint another director, they should again consult the Government. That is also not proper. Once the default is committed by the manager or the director and he is removed, that is because of the fault of the manager or the director. The company should not be penalised and it must have the right to appoint another director or manager according to its own sweet will.

Then, the other day, my learned friend on this side said that "we spurn foreign capital". You may spurn it and I also spurn the foreign capital, but then the position is, the hon. Finance Minister or Shri S. K. Patil go to foreign countries and take loan for this Government from the foreign countries. We also look to that sort of thing. We may spurn foreign capital, but if we want foreign loan, whatever they have to say should also be considered. In the issue of the *Statesman* for the 10th December, 1963, Sir Paul Gore-Booth, the British High Commissioner in India, is reported to have said that certain points in the proposed amendment to the Indian company law had caused concern among some leading foreign firms operating in India. That is the press report. It was emphasised on the floor of the House on Friday or Saturday last that the clause relating to the conversion of loan into share capital will be detrimental to the foreign loans. Some hon. Members said that they spurn it. Even if we spurn it, we should consider whether the amendment will have some effect on foreign capital. I say it will have some effect. Even though we hate that and we can discard them, the point is we want foreign capital, we want their money, their arms and ammunition. So, I have given a Minute of Dissent also on these matters.

Shri Jashvant Mehta (Bhavnagar): Mr. Deputy-Speaker, Sir, the hon. Finance Minister has presented to this House today a very important statement. In the light of that statement, he has depicted the economic situation of the country. I have heard the debate and I have also read the Note of Dissent on this amending Bill. This company law sector is a very important sector of our economy. When we are dealing with this Plan, or when we have decided to have a mixed economy—a private and a public sector—and a co-existence of these sectors in our country, the company law administration is a most important one. The time has come, after the Vivian Bose Commission report, when the Government should give a serious thought, and the hon. Finance Minister has assured the House that the Government want to bring in a very comprehensive law amending this company law sector. We hope that in the next session he will bring in a comprehensive Bill on that matter. But at present there are four important provisions, namely, the setting up of a tribunal, creating the Board of Administration of Company Law, the conversion of loan and debentures into equities so that they could ensure that investment trusts and equities are not misused by people of the trusts. These are the four provisions of this amending Bill.

Really speaking, the Government should come forward with more restrictive powers to the managing

agents. Our past experience is not a happy one in this respect. Up till now the managing agents have been flourishing at the cost of the shareholders. Even if we accept the mixed economy, then also, for the entire development and for the purposes of planned economy, the Government should pay more attention to this sector.

The third aspect is the constitution of the Board. The company law administration requires further consideration by the Government. The Government should give more powers to this Board, for the efficient management of the company law administration. In this House, the company law administration has been severely criticised in the past, and the people were feeling that to set right this administration something radical is needed. While the amendment seeks to constitute the Board, I am afraid the Board has not been given sufficient powers under this amendment, and it requires further consideration.

The next point is with regard to constitution of the tribunal. The law-abiding companies and citizens in this country should not be afraid of the tribunal. These people who manage their affairs honestly and sincerely are never afraid of such provisions. On the contrary, this is a tribunal on which there will be eminent men such as high court judges or men of equal status, and the tribunal will therefore be more effective in dealing with this problm. This provision should have been welcomed by all sections of the House.

My hon. friend Shri Indrajit Gupta has rightly stated in his Minute of Dissent that a person whose removal was considered necessary by both the tribunal and the Government should not be permitted to reoccupy any responsible managerial office during the full statutory period of five years. Even if this penalty can be watered down, there will be no seriousness left in the provisions for removal.

So far as the procedure is concerned, the Government should pay more atttention to simplify the procedure, so that it will be better able to administer the company laws. Most of the time of the administration is lost in continuous work, doing a lot of paper work. A dynamic change is, therefore, required by simplifying the procedure. When the company administration has been transferred from the Ministry of Commerce and Industry to the Finance Ministry, the Finance Ministry should concentrate on this aspect of the problem of the company law administration. A simple procedure is absolutely essential. I hope the Finance Minister will give attention to this aspect of this administration.

I do not agree with my hon. friend Shri M. R. Masani in his Minute of Dissent, and I hope that Government will come forward in future with a comprehensive Bill to improve the company law administration, which has been suggested by the Vivian Bose Commision, and also with measures for straightening out and simplifying the procedure.

Shri Bhagwat Jha Azad (Bhagalpur): Sir, I congratulate the Finance Minister on bringing this measure. It is now evident before the House as well as before the country as to what the implications of this Bill are. Though I personally do not think that it goes very far to curb all the undesirable things that are done by the big companies in this country, and which have been evidenced before the House by the report of the Vivian Bose Commission report, yet, I feel that this is a measure which gives power to the Government to keep a watch over the deeds of such big companies which do not function in the national interest but otherwise.

I would not refer to the provisions of the tribunal and the restraint on the trustees, but only to one point which has been a matter of controversy both inside as well as outside this House; and that is about the Govern-

[Shri Bhagwat Jha Azad]

ment taking power, whenever it thinks it necessary, to convert loans into shares. I was surprised to read the speech of Shri Masani who called the Government a cheat; he said that the destiny of the nation will go into mud and all sorts of things. So also just now I heard Shri Bade. The two friends were trying to tell us what is democracy, legality and constitutionality. They were trying to give us a sermon saying, "At Jaipur you have adopted democratic socialism and now you are acting undemocratically." Sir, I was reminded of the devil quoting scriptures. The two friends represent the vested interests in the country. When they say that this a contract between two parties, they forget that it is not a contract between Mr. Masani and Mr. Bade or between me and any other person, but it is a contract between the nation and a few individuals. One must differentiate between contract between two individuals and contract between a nation and a few individuals. Here loans have been given not by Mr. T. T. Krishnamachari or Mr. Jawaharlal Nehru, but by the Finance Minister and Prime Minister who have been charged with the responsibility of making proper use of public money. They gave loans to these companies. Now when the nation demands it, it is not that they are taking police power, but they say that such companies which are paying a very good divident should contribute a very small part of it to the public exchequer as well.

What is wrong about this? They say it is unconstitutional. I think there is nothing unconstitutional about it. It will stand the test of constitutional validity. May I ask, what about Government applying land ceilings on millions of people in this country? In that case, Government has no right to put any land ceiling. How could Government ask for the abolition of zamindari? When the property of Dharbhanga Maharaja was taken, the market value was Rs. 100 crores. He was given Rs. 3 crores and that also in bonds for 40 years. Can anybody say it was unconstitutional? They cannot say so, because all these things are being done in the interest of the nation. This Government, this Parliament, is wedded to socialism, which means welfare for the millions of people in this country. Even if it harms a small group of people who should see how far it benefits the larger measure of the people. The objectives which are being laid before the people in one Plan after another are also very clear. So, keeping in view those objectives, I think Government is perfectly justified even from a legal and constitutional point of view and much more from the national point of view in bringing this measure to convert, whenever they like, the loans given in the past into shares.

Let us take another example. Apart from zamindari abolition and land ceiling, lands are acquired for public purposes for big industries in Kanpur, Bombay, Calcutta and so on. Precious lands are being taken from the farmers. Government has got a right to do it because if industries flourish, it will benefit not a handful of people, but it will be in the general interest of all the people. So, if this enactment of the Government to acquire land from even small people who have got only very little land will stand the test of law, then certainly if loans given public money, tax-payers' money, are converted into shares, there is nothing wrong.

It is said that it is a breach of contract. A contract can be fulfilled either by consent or by the operation of law. I do not want that two individuals A and B entering into a contract in Delhi that whatever sugar and khandsari they have must be sold at blackmarket price and then saying, "It is a contract between you and me". For a contract to be effective, it is not only consent of two parties that is required, but also operation of law. In this case, we are taking the measure of law to operate that contract. So, when we are bringing forward a law by which we can operate that contract,

there is nothing illegal or unconstitutional about it.

So far as the legal pandits are concerned, we are seeing them every day. Of course, they have got legeal points, and they must stand for the Birlas and Tatas, because they are paying for them. I think there is a controversy between two groups of lawyers. There are some in my own party who may say that this is illegal. But I think when the Government of India brings forward a law like this before Parliament, they must consult an equally large number of legal luminaries. We have seen in so many cases that no enactment made for the public interest in this country has gone unchallenged. Even in the zamindari abolition, they have gone to the Supreme Court. So, even if it does not stand the test of law, it should be enacted and if necessary, the Constitution must be amended. For instance, in some States there were difficulties so far as land reforms are concerned. So, this Parliament is taking up the 17th amendment of the Constitution. So, in this case also, if necessary, the Constitution must be amended.

Nobody has questioned the principle. My friends, Mr. Masani and his fellow-traveller Mr. Bade have said that they have no objection in keeping future loans in the form of shares. So, they do not question the principle. They say that the past loan of Rs. 80 crores should not be converted. Once you accept the principle, why do you want to stand on slippery ground of legality and constitutionality?

Dr. M. S. Aney (Nagpur): Why do you call it slippery?

Shri Bhagwat Jha Azad: I call it slippery because it is very evident that he will slip tomorrow. It is the nation's interest which should be considered, not mine or yours. It is the teeming millions' money that is being given to these people. So, considered from any stand, be it legal or constitutional or contractual, it is perfectly right that the Finance Minister should have come with this measure. Only this much I would submit to him that this should not be allowed to be put in cold storage. After this enactment is made, he should use this. We had expected the Government of India in the post-independent era, after 10 years, to nationalise the key industries like iron and steel. Government's industrial policy has laid down that these things will be there and we expect at least after 15 years of independence, such important industries should be in the public sector. Let Tatas and others be there for some time, but under this enactment, Government must go and convert its loans into shares. Also, the public eye should be watching these friends as to how they are behaving.

With these words, I support the Bill and I feel there is nothing unconstitutional or illegal about it. That is a very necessary measure and it has come up before the House in right time.

Shri Himatsingka (Godda): Sir, our Finance Minister has been good enough to recognise the position that the investment climate needs to be improved and with that intention in view, he has been trying to take steps, so that the market may improve. In fact, today he made certain important statements with that end in view. I want to look at this measure from that point of view, *viz.*, whether or not this measure and the other measures that he has on the agenda this session will serve that purpose.

I feel that some of the amendments that have been introduced are certainly salutary and they might improve the morale of the businessmen. But this provision of giving retrospective effect will apply only to two companies. The question is whether it is so important a step that should have been taken, because it will create a certain impression outside, in the minds of those who are not fully informed as to the purpose why this measure has been made retrospective. I refer to the right

[Shri Himatsinghka]

conferred on Government to convert loans and debentures prior to the date of this enactment into shares. After all, these two companies have been functioning quite well. Therefore, to create an impression outside or in this country that the Government intends to interfere and to upset the present arrangement in the company and to dilute the rights of a large number of shareholders by converting loans into shares is a point which should be taken into consideration by the dynamic Finance Minister who understands these things quite well.

So far as the other proposals are concerned, I feel that in our country the judiciary is, by and large, wholly independent and has very good reputation. Therefore, we should not take any step which will create an impression in the country that by and by the powers of the judiciary are being attempted to be curtailed and such powers are being attempted to be given to the tribunals. At present the power to take action under the various sections is vested in the High Court. Now the proposal is to refer them to tribunals. Of course, there has been some improvement made by the Select Committee inasmuch as how the Chairman of the tribunals will be persons experienced in law and who have been or who are qualified for appointment as judges. Certainly, it is an improvement but, all the same, a tribunal is still a tribunal. Moreover, appeals from such tribunals are limited only to questions of law. As a matter of fact, at the present moment when a matter is decided by the High Court, it can be appealed against a bench of the same High Court and then to the Supreme Court. Now, very many powers are intended to be given to the tribunal under the various sections mentioned in clause (8), i.e. sections 388B, 388C, 388D and so on. They all will be referred to the tribunal. Will it be sufficient to provide an appeal only on a point of law? That is also a point which, I feel, should be taken into consideration.

The powers that are proposed to be taken under clause (9) are very wide. The proposed section 388B reads:

> "(1) Where in the opinion of the Central Government there are circumstances suggesting:—
>
> (a) that any person concerned in the conduct and management of the affairs of a company is or has been in connection therewith guilty of fraud, misfeasance, persistent negligence or default...."

There is no harm in it. That power should be with the Government. But sub-clauses (b) and (c) in my opinion, are very vague. For example, sub-clause (b) reads:

> "that the business of a company is not or has not been conducted and managed by such person in accordance with sound business principles or prudent commercial practices;"

What will be the yardstick? Who will judge whether the method that is being adopted or the way in which the business is being conducted is in accordance with sound business principles or prudent commercial practices? It differs from one business house to another. As a matter of fact, it will differ from one member of the tribunal to another. It is very vague. Similarly, sub-clause (c) reads:

> "that a company is or has been conducted and managed by such person in a manner which is likely to cause, or has caused, serious injury or damage to the interest of the trade, industry or business to which such company pertains;"

What will be the test? How are you going to decide it? Is it not very vague? Will it not give very wide powers to the executive to take action?

After all, if it were the case where an intelligent person like the Finance Minister is taking a decision, one can be sure that no injustice will be done. But, in this case, it will be decided by a person very much lower down. So, it will be very easy to influence such a person and, very likely, wrong action may be taken. Therefore, I feel that all these lacunae should be removed, loopholes plugged, and sub-clauses (b) and (c) deleted.

So far as appeal is concerned, I feel that an appeal should be permitted not only on a question of law but also on a question of fact.

Coming to the question of trusts, I feel the intention of the Government is that the powers of persons who invest the trust money in companies managed by themselves should be curtailed. But suppose the trust money is invested by a person in the shares of a company with which he has no connection, he has nothing to do with the management of that company, how can he influence the decisions of that company in favour of the management? In a case where a person who is managing the company holds trust shares in his own name and also holds shares of that company in the name of the trust, this power may be justified. Otherwise, to take away the rights of all trustees, even when they have got nothing to do with the management of companies in which money has been invested, is, I think, depriving the real owner, the real beneficiary of the real rights that he would otherwise possess. So, I feel that the voting rights of persons in respect of trust shares should not be taken away.

Then I come to the amendment of section 153. It has been provided in the Bill that notice of trust shares has to be given by the trustees to the company also. But section 153 prevents the company from taking notice of any trust. Therefore, it becomes almost contradictory. I feel that when notice is being provided to be given under new sections 153A and 153B, there should be an amendment of the original section so that a company may receive notice of the trust. After all, when a trustee gives notice, how is it going to be recorded? Where is it going to be recorded? That will save the trustees from one difficulty. At present what happens is that trust shares are recorded and registered in the names of individuals. But if the notice is recorded in the company's register as "so and so trustees of such and such trusts", there will be protection for the trust also. So, I feel that section 153 should also be amended.

Shri Basappa: Mr. Deputy-Speaker, according to me the most important question to be decided in this Bill is whether this sovereign Parliament, under certain circumstances, in the larger interests of the nation, can do certain things which will, to a certain extent, modify the contractual obligations laid down on us. In this matter, I have to congratulate the Government for not yielding to the pressure tactics that have been used. In this country, the vested interests, in the name of the sacredness of the contract, in the name of prestige and sanctity of law, want to thwart progressive thinking. Therefore, I would like the Government to be strong in their attitude. After all, we are developing a democratic socialist State in which the public sector is bound to enlarge day by day, a State in which the private sector has to be controlled properly and the monopolistic tendencies have to be checked.

A large number of joint stock companies are registered in this country every year. So, the dominant role of the corporate sector has been increasing day by day. Under these circumstances, a full and comprehensive company law becomes essential, particularly in the context of the Vivian Bose Commission report and in the context of the statement of the Finance Minister that the abuses are increasing day by day. It is only the top of the ice-berg that we are seeing today. That is what the Finance Minister says. We do not know what is underlying and what is

[Shri Basappa]

happening in these various corporate sectors. We have been noticing that in all these objects of these companies, the objects are not clearly stated so that they are making use of their money in any manner they like. The loans are given to directors sometimes without security at lesser rate of interest or to their relatives. There is, misappropriation and mal-practices and all these things are there. Sometimes the sole-selling agency is given to their relatives. Under these circumstances when the Finance Minister brings a Bill of this kind, with a limited objective, it should be welcomed. I hope the Finance Minister will give a little attention to what I say also. He would bring a more comprehensive Bill at an early date to plug the loopholes that I have been narrating and which has been pointed out in the Vivian Bose Commission's report and also by the Daphtry|Shastri report.

Sir, after all the limited purpose of the Bill is only to prevent the concentration of wealth in the hands of the few people and also it has been brought with a laudable objective of increasing the assets of the company concerned. The tribunal that has been suggested must have necessary powers to check, to remove, some of these directors who are involved in all these things and it has to be welcomed because of speedy remedy that is given here, whereas earlier whenever malpractices took place on the part of a director, it used to go to a court. How many cases are there? Hundreds and thousands of cases are there. So, a separate tribunal is a necessary thing and it will give us a speedy justice.

Then, the most controversial point is about the conversion of loans into share capital. It is a very strange logic when some of these people say that they have no objection to that when a company is not prosperous; they have no objection to the Government converting their loans—but only when it is in default they can convert it. But when it is in prosperous conditions, the Government should not look forward to that. Look at the strange logic that they have got! After all assurances have been given, my friends have expressed apprehension that only an official is going to decide what is the public interest. Assurances have been given that it will not be left to the individual discretion of the official to decide what the public interest is. The Government will consider whether in the public interest, it is necessary to do so. When such apprehensions are removed and when assurances are given, there should be no objection to it. These cases come only where the Government has directly given loans. Supposing an autonomous Board has given loans, the Government is not coming into the picture at all. So, this is the limited objective that we have in view and the apprehensions have been removed. Ater all, when the Government becomes a partner in a public company, it adds to the assets of the company also. Under these circumstances, I cannot understand why these people, even on my own side, have expressed doubts about this Bill.

Again, reasonable terms have been provided. If they do not find there are reasonable terms, they can go to a court of law. These are certain things which have been provided and there should be no hesitation on the part of anybody to accept a Bill of this kind.

About the vesting of the voting rights in a public trustee, why should there be any objection. We have seen how the private trustee has misused his powers in the interest of some directors and how he has used this power to enrich some of his individuals, whereas the trust is meant for a public purpose. The purpose is stated clearly. That purpose is violated. Under those circumstances, to see that larger interests are provided for, if a public trustee is appointed and he looks after the trust, I do not see anything wrong about it.

Now, about the appointment of a board, an independent body, to look after this, it has been accepted by all people. The one thing which I have noticed is, as if the procedure followed by this Parliament is almost a mockery of this Parliament. That is what has been expressed in some quarters. I do not know how could it be a mockery of Parliamentary procedure. After all, the Government, the Cabinet, which has come forward with a decision is only confirming and sticking to its own decision. Under these circumstances, I do not know how can it be a wrong way of interpreting a parliamentary procedure. After all, the Select Committee is a body of this House. The sovereign Parliament has got a right to decide when the Select Committee goes wrong. We know the circumstances under which this Select Committee was formed. It was not originally formed by the Government; it was a committee which was adopted by Government formed by some persons in the House. I would strongly say that there is no mockery of parliamentary procedure. This sovereign Parliament has a right to see that certain things are upheld. Even though the Select Committee may have gone wrong, the Parliament has right to correct those things. I stand by what the Government has done and we must all support the Bill of this kind because it is in the larger interest of the country. We have not even hesitated to amend in amending the Constitution when so required. Under those circumstances, let me explain that the change in the contractual obligation in the nature of things is not so sacred as it apears to be and the larger interests of the country must prevail over other interests.

श्री रामसेवक यादव (बाराबंकी) : उपाध्यक्ष महोदय, मिश्रित अर्थ-व्यवस्था या डाल्डा अर्थ-व्यवस्था के पेट से जन्मा यह कानून आज सदन के सामने प्रस्तुत है। मैं शुरू में ही निवेदन कर दूं कि मैं सार्वजनिक क्षेत्र का हामी हूं। और सार्वजनिक तथा निजी क्षेत्र की खिचड़ी पकाने के मैं हरगिज पक्ष में नहीं हूं। यदि हम इस दृष्टि से इस विधेयक को आंकते हैं, तो यह पाते हैं कि वित्त मंत्री सार्वजनिक और निजी क्षेत्र की खिचड़ी पकाना चाहते हैं और उस में भी शायद सार्वजनिक क्षेत्र का नमक बहुत कम या दाल कम और निजी क्षेत्र का चावल ज्यादा रखना चाहते हैं।

एक माननीय सदस्य : खिचड़ी खाने में अच्छी होती है।

श्री रामसेवकयादव : इस विधेयक के बारे में कहा गया है कि इस से कम्पनी कानून में सुधार होगा। मेरे इधर और उधर बैठने वाले जो माननीय सदस्य अपने को प्रगतिशील या क्रान्तिकारी कहते हैं, उन्होंने इस विधेयक का बहुत लम्बा स्वागत किया है। और कुछ लोगों ने इस विधेयक का अपने व्यवहार से विरोध कर के इस को क्रान्तिकारी बना दिया है। वस्तु-स्थिति यह है कि न तो यह सुधार है, न यह क्रान्तिकारी है और न यह प्रगतिशील है।

मैं समाजवादी वित्त मंत्री से कहूंगा कि वह इन बातों पर जरा ध्यान दें। कम्पनी कानून में कई तरह की खामियां हैं। कम्पनी के लोगों को अपने मनचाहे राजनीतिक दल को चंदा देने का हक है। इसी तरह सरकार कम्पनी पर जोर डाल कर अपने दल के लोगों और अपने रिश्तेदारों और भाई-भतीजों को लम्बी तन्ख्वाह पर नौकरी दिलाती है। कुछ दिन पहले बर्ड कम्पनी का प्रश्न यहां पर उठा था, लेकिन मंत्री महोदय ने उस का जवाब नहीं दिया। इसी तरह से जनहित के नाम से कुछ ट्रस्ट खुलते हैं, जिन को ये कम्पनियां पैसा देती हैं। इन बातों पर ध्यान नहीं दिया गया है। कोई ऐसा संशोधक-विधेयक लाया जाना चाहिए था, जिस से इन खामियों को दूर किया जा सकता। जो विधेयक मंत्री महोदय लाये हैं, उस को आंकने से मालूम होता है कि जिन अवगुणों और खराबियों का मैं ने अभी जिक्र किया है,

[श्री रामसेवक यादव]

उन को इस से और बल मिलेगा । वे अवगुण और ख़राबियां इस विधेयक से ख़त्म नहीं होंगी, बल्कि इस विधेयक से समाजवाद को बल मिलने के बजाये इस सरकार के हाथ में अधिक सत्ता और अधिक अधिकार जाते हैं । यह सर्व-विदित है कि सरकार ने अपने अधिकारों का प्रयोग किस के पक्ष में और किस तरीके से किया है । उस ने अपने अधिकारों का प्रयोग जनहित के लिए नहीं, बल्कि भ्रष्टाचार, पक्षपात और कुनबापरवरी को प्रश्रय देने के लिए किया है ।

इस विधेयक में बहुत सी बातें हैं । उन में मैं जाना नहीं चाहता हूं । असल में यह जो धारा ८१ का पैरा ५ है, यही इस में महत्वपूर्ण है । यह जो ट्रिब्यनल वाली या कंट्रोल बोर्ड वाली बात है यह तो इस की धुरी पर चारों ओर घूमने वाली बातें हैं । इस संशोधन में कहा गया है :

"If in its opinion it is necessary in the public interest to do so".

एक सवाल मैं समाजवादी मंत्री महोदय से पूछना चाहूंगा । क्या समाजवाद जनहित में है या नहीं है । अगर समाजवाद जनहित में है तो फिर समाजवाद और सार्वजनिक क्षेत्र ये दोनों ही एक अर्थ बताते हैं । जनहित और निजी क्षेत्र ये दोनों परस्पर विरोधी हैं । जब समाजवाद और जनहित, सार्वजनिक हित एक ही हैं, सार्वजनिक क्षेत्र और समाजवाद जनहित में हैं तो फिर जो शब्दावली यहां पर रखी गई है, इस को जब हम जैसे आदमी पढ़ते हैं तो उन के मन में शंका पैदा होती है कि सरकार इस विधेयक को लाने में हर्गिज़ ईमानदार नहीं है, सार्वजनिक क्षेत्र को यह बढ़ावा देना नहीं चाहती, वह तो केवल इस के रूप का प्रचार करना चाहती है जिस से ज़रा ऊपर से मालूम हो कि समाजवाद सार्वजनिक क्षेत्र की ओर बढ़ता जा रहा है । लेकिन अगर आत्मा को टटोल कर देखा जाये तो पता चलेगा कि सरकार, सरकारी मशीनरी, सरकारी दल सभी निजी क्षेत्र को मजबूत करना चाहते हैं और इस तरह के प्रयासों से वही लोग मजबूत होते हैं ।

एक माननीय सदस्य : आप क्या चाहते हैं ।

श्री रामसेवक यादव : मैं ज़रा भी अगर कोई कदम समाजवाद की तरफ उठाया जाता है तो उसका पक्षपाती हूं । मैं हम्स एंड बट्स को नहीं चाहता हूं, दीज़ शुड नाट बी देअर । अगर और मगर से काम नहीं चलेगा । अगर और मगर का इस्तेमाल करने से तो जनता का अहित ही होगा । आप कहते हैं कि पब्लिक इंटिरेस्ट में है या नहीं, इस को देखा जायेगा और तब इस्तेमाल होगा । मैं कहता हूं कि इस का इस्तेमाल करने में भेदभाव से काम लिया जायेगा, या फिर किसी कम्पनी पर सरकार की नाराज़गी होगी तो उस के साथ एक तरह का सलूक किया जायेगा और जिस के साथ मुहब्बत होगी, जिस ने ज्यादा चुनाव में पैसा दिया होगा, उस का बचाव होगा

श्री भागवत झा आज़ाद: बन्धु, आप को भी तो बैंक ढोर से पैसा मिलता है ।

श्री रामसेवक यादव : इससे एक बात का पता तो चल गया कि इन को चुनाव में पैसा मिलता है और अब उन्होंने मान लिया है कि कम्पनी वाले इन को सीधे दरवाज़े से पैसा देते हैं, चन्दा देते हैं । अगर हमारी पार्टी को इस तरह से चन्दे मिल जाते तो हमारी हार न होती । चन्दे न मिलने के कारण ही होती है । क्योंकि हमारे पास पैसा नहीं होता है, इस वास्ते होती है ।

जो प्राविसो है, यह जो कानूनी व्यवस्था है, उस में यह है कि वे हिस्से जिन में कर्ज का पैसा, डिबेंचर्ज का पैसा लगा हुआ है वह

बदला नहीं जा सकेगा क्योंकि जो सरकार की मशीनरी है वह सोचेगी कि जनहित में यह है या नहीं है और अगर वह कहेगी कि है, तब करेगी। सोचेगी या नहीं सोचेगी, यह तो मैं नहीं जानता हूं, लेकिन मैं कहना चाहता हूं कि साफ तौर पर यह निश्चित हो जाना चाहिए और मंत्री महोदय को ऐसा संशोधन लाना चाहिए कि जहां जहां जिन जिन कारखानों में सरकारी पैसा या धन लगा हुआ है कर्ज के रूप में या डिबेंचर्ज के रूप में वह बिना किसी अगर मगर के, बिना किसी प्राविसो के तत्काल शेयर में बदल जायेगा, सरकार उन को ले लेगी। मैं तो इस हद तक जाना चाहता हूं कि अब यह सार्वजनिक और निजी क्षेत्र की खिचड़ी पकाना बन्द होना चाहिए और सभी निजी क्षेत्र का राष्ट्रीयकरण हो जाना चाहिए।

जहां तक इस कानूनी अड़चन का सवाल है, हमेशा इस तरह के प्रश्न उठा करेंगे और उठाने वाले उठाया करेंगे। आज भी शहरों और देहातों वाली चीज चल रही है। जैसा कि हमारे मित्र भागवत झा आजाद साहब ने कहा जब हम किसान की जमीन लेते है जब हम गांव की जमीन लेते है, जब हम जमीदार की जमीन लेते है तब हम जनहित, समाजवाद, समानता, जनतंत्र इन सब चीजों का नारा लगा करके उस को जस्टिफाई करते हैं, उसका प्रतीक बताते हैं लेकिन जहां पर पूंजीपतियों का सवाल आता है, कलकारखानों पर आंच आती है, वहां पर कानून के पक्ष, ईमानदारी के पक्ष, न्याय के पक्ष का सहारा लिया जाता है। मैं चाहता हूं कि माननीय मंत्री जी कम्पनी कानून में जबर्दस्त तरमीम करें ताकि सार्वजनिक क्षेत्र का विस्तार किया जा सके और अच्छा हो कि जितने भी निजी क्षेत्र हैं वे जल्दी समाप्त हों। दूसरे यह जो चन्दा वाला मामला है, भ्रष्टाचार वाला मामला है या यह जो नाते रिश्तेदारों को नौकरियां मिलती हैं, ये सब मामले ठीक किये जायें। जो संशोधन हुआ है कि जब जरूरी समझें सरकार का रुपया जोकि कर्ज के रूप में या डिबेंचर्ज के रूप में लगा हुआ है वह शेयर पूंजी में आ जाये, वैसा न रह कर वह तत्काल इस के अन्दर आ जाये।

Shri T. T. Krishnamachari: It is not very heartening for me to have to reply to this debate. It is also my misfortune that sometimes one hon. Member opposite takes a lead and a very powerful lead to have references made to him constantly in replying to any debate in this House.

I have laid no claim that this is a socialist measure. In fact, if socialism has to be introduced, it cannot be through the company law. But, at the same time, there are many things that can be done by company law to check abuses, to check concentration of power and misuse of that power. So, hon. Members will forgive me if I cannot speak very much about socialism; what socialism they want and how it should be done must be done by other means.

Shri D. N. Tiwary (Gopalganj): They want 'Lohia socialism'.

Shri T. T. Krishnamachari: But so far as this measure is concerned, this is a regulatory measure.

The last speaker whose speech I had to get translated for my benefit, being ignorant of the particular type of dialect which he spoke, I do not think, has contributed very much to my knowledge. His is a negative approach, a negative approach which does not really have any sound or firm footing on the earth. Of course, I agree that much of what we do might appear to be a sort of mixture, olla-podrida, or, as he calls it, a *kichdi*. But a *kichdi* mind can never suggest a clear line of approach to anybody. This is where my hon. friend and his party fall between two stools. What do they want? We do not know.

Shri Ram Sewak Yadav: I want nationalisation, and socialisation and the finishing up of all this.

Shri T. T. Krishnamachari: As a matter of fact, these are not achieved by merely shouting them from housetops, nor by obstructing proceedings in the House, nor by personal reflections on a few unfortunate Ministers.

श्री रामसेवक यादव : मूंदड़ा आई० सी० का मामला आप के बारे में है।

Shri T. T. Krishnamachari: I know that the hon. Member is very facile with his tongue and sometimes makes very cruel remarks which we have to put up with.

But the point is that these are done by sound methods and by steadily pursuing them and by people who have at any rate an objective, and that is where that objective of my hon. friends is lacking because they are negative in their approach.

Coming to the main brunt of the attack, I do not know whether to be sad or to be happy. I am sad that here is the reputation of this country, which has been acknowledged to be very high in the capitals of the world being denigrated by an individual here, as one single act bring down the whole edifice. Here, we see a new Samson bringing down the temple. Apparently, Samson belonged to the historical past. After all, I think to a large extent they are allegorical figures. It is very difficult to repeat the achievements of Samson in this era, when temples cannot be easily demolished and one swallow does not make a summer. If my hon. friend happens to demolish a pretty little temple somewhere, it does not mean that the temple on which this country's honour and prestige stands can be demolished.

As I said, I am happy that if I have to stand at the dock of public opinion, I would rather stand with my leader and be honoured by it rather than stand with anybody who belongs to that group. Of course, it makes us angry to hear the name that the masses of this country still cherish and speak of with affection and still look at with awe and admiration as somebody who stands in the dock, as a Marxist and as a Hitler. My hon. friend should take care to see when he quotes that he quotes correctly. What my leader said at the party meeting—I do not mind repeating it here—was 'Those are Hitler's ways; we do not propose to adopt them'.

Shri M. R. Masani (Rajkot): You have adopted them.

Shri T. T. Krishnamachari: Of course, my hon. friend is not merely wearing dark glasses, but he is completely blind. What could I do about it? I am sorry that on every occasion I have to speak I have to cross swords with him. As I said before, he is a friend; he has been with us, he is still my friend—I hope I can count on him as one. But when he functions as the leader of the party, he cannot expect any mercy from this side. . . .

Shri M. R. Masani: No mercy is expected.

Shri T. T. Krishnamachari: ..... for this reason, that his party cannot have any mercy at the hands of any patriotic individual in this country. If any member of the party has the temerity to stand on the floor of this House to say that the credit of India has gone, what shall I call him? Shall I call him a patriot?

Some Hon. Members: No.

Shri T. T. Krishnamachari: Not the Patriot newspaper that is published in Delhi every day. No, Sir. I think my hon. friend does not mean it. I am sure he does not mean it because no sensible man in this country can get angry like that. He may be temporarily angry with me—I do not mind it. I do not mind if in moments of anger he calls me names. But I would rather he does not call my leader

names; even if he does, it does not matter. But I will ask him in all humility to desist from calling down the name of India, the India that this Parliament represents. It has a credit which is high, which will remain high, notwithstanding all the parties opposite. And we who are led by a leader whose sacrifices on behalf of the country are unparalleled anywhere else in the world, are not going to permit this kind of thing to be said. I can tell you that I shall, during the period that I have the pleasure of serving this Government and this House, hold the reputation of India very high in the capitals of the world notwithstanding people who come from the Swatantra Party. I know the hon. gentlemen who when they go from here to various countries and speak about India, speak denigratingly about her. There are people in this country who do it. (*An hon. Member*: 'Formosa'). I do not want my hon. friend to do it; I do not want him to be the cause of it. I am sure he will correct that error.

Let me come to the basis of the Bill. I do not think I need take long on it. Let me repeat. The Bill seeks to do three things. One is to establish a tribunal presided over by a person with a judicial background, judicial bias. I do hope it will be possible for us to get Judges. It is not easily possible for us to get Judges who are functioning. The courts will not spare them. No man wants any individual in this country to be hurt; no man wants anybody to be hurt by executive fiat. I do not want, it, nor do the party and the Government want it. We shall have a tribunal to go into the misdemeanour of persons. If the tribunal finds that there has been misdemeanour, certain action will follow, and it should follow.

The second important thing is that we seek to prevent aggregation of power by means of voting strength being exercised pseudonymously. I have not taken the advice of my hon. friend, even of Shri Nath Pai for that matter, to put before this House any legislation to stop concentration of power. It may come, but that will be done openly. But what we do not want people to do is to assume another name, get under the cover of a trust and add the power of the trust to their own in regard to controlling certain companies. We do not want it to be done. I am perfectly sure there are many trusts owned by companies which are being probably properly run, where abuse of power is not even thought of. But sometimes it may come. You never know. Vested interests, if they are provoked, sometimes get angry. And there are people—I know it to my knowledge—who misuse the power they have as trustees by means of keeping control over certain institutions. It is that that we are fighting. Therefore, the amendment the Select Committee made in regard to this provision in regard to trustees is perfectly correct. The public trustee will step into the position where the holding of a trust in one company's shares is a little above one lakh in some cases and five lakhs in all others and having stepped into that position, he can, in the case of good trustees, authorise the trustees themselves to act on his behalf. Oftentimes, shareholders do not exercise their rights. Dumb creatures in this world are often shareholders; they never exercise their rights. The public trustee could permit a trustee to do it. Provision has been made for that. But when he finds that it is not wise to do so—he will have the information at his disposal—he will exercise it, if necessary, for the purpose of preserving the interest of the trust. The real thing is that normally we say that the public trustee shall not vote except where he has to defend the rights of the trust. That is all the position and nothing more.

The last thing is about loans. Much has been said about vitiation of contract. If you will permit me, I am prepared to move an amendment. Of course, we are not accepting the pro-

[Shri T. T. Krishnamachari]

viso to the clause made in the Select Committee But I am prepared to suggest one amendment to the effect that any action to be taken in this regard shall be laid on the Table of the House, shall remain on the Table of the House for 30 days and no action will be taken until that period of 30 days lapses. Hon. Members might take any action that they like. I am doing it because I do not want it to be said that sometimes a Minister who is not controlled by a Prime Minister like Jawaharlal Nehru might misuse this power. It is possible. Here the biggest security we have is the reputation of the leader, his sound principles, his ideals.

Shri Kishen Pattanayak (Sambalpur): What sycophancy?

Shri T. T. Krishnamachari: The interruption is puerile.

What that check is removed, something might happen. I am certainly one with hon. Members that a Minister who misuses his power must be prevented from doing it. After, all, which is the court that is best in India? In any country with Parliament, it is the Parliament of the country which is the biggest court. Therefore, I shall move that amendment, provided you permit me to do so, that any draft statement on action to be taken should be placed on the Table of the House and shall remain there for 30 days during which the House is in session. Thereby I give the biggest safeguard anybody in this country can possibly require and obtain.

Then I have only one minor verbal amendment. I propose to accept the amendment that any hon. Member might move to eliminate that proviso. I think the proviso is no longer necessary in view of the fact that the House is seized of the problem. The House can check misdemeanour; the House can say 'do not do it' or can approve of it.

I have nothing further to add.

Mr. Deputy-Speaker: The question is:

"That the Bill further to amend the Companies Act, 1956, as reported by the Select Committee, be taken into consideration".

The motion was adopted.

Mr. Deputy-Speaker: There are no amendments to clause 2.

The question is:

"That clause 2 stand part of the Bill".

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3—(*Insertion of new sections after section 10 in Part I*)

Shri Warior: I beg to move:

Page 6,—

after line 7, *insert*—

"(4) No such appeal shall lie against any interim order of the Tribunal but only against the final order of the Tribunal.'" (1)

Shri P. R. Patel: I beg to move:

(i) Page 2,—

for lines 7 to 9, *substitute*—

"10A. (1) The Supreme Court at the request of the Central Government shall constitute a Tribunal consisting of one or more members as it thinks fit, to exercise and discharge". (16).

(ii) Page 2,—

for lines 25 to 31, *substitute*—

"(2) A member of the Tribunal shall be a judge of a High Court in India." (17).

(iii) Pages 2 and 3,—

for lines 32 to 37 and 1 respectively, *substitute*—

"(3) If the Tribunal is composed of more than one judge-member, the Supreme Court shall nominate one of the members to be the Chairman of the Tribunal." (18).

(iv) Page 3, lines 32 and 33,—

for "Central Government" *substitute*—

"Supreme Court". (19).

(v) Page 5,—

for lines 26 to 34, *substitute*—

"10D. (1) An appeal shall lie to the Supreme Court against the decisions of the Tribunal." (20).

(vi) Page 5, line 36,—

for "High Court" *substitute* "Supreme Court". (26).

(vii) Page 6, line 5,—

for "High Court" *substitute* "Supreme Court". (27).

Shri Himatsingka (Godda): I beg to move:

Page 5, line 28,—

omit "only on questions of law". (21).

Shri Solanki (Kaira): I beg to move:

(i) Page 5, line 28,—

omit "only". (22).

(ii) Page 5, line 31,—

after "out of any" *insert* "decision,". (23).

(iii) Page 5, line 31,—

after "finding" *insert* "or order". (24).

(iv) Page 5, line 32,—

after "section 388D" *insert*—

"and on any other question with the leave of the High Court". (25).

Mr. Deputy-Speaker: Shri M. R. Masani's amendments No. 49 and 50 are barred because the same amendments have already been moved.

The clause and the amendments are now before the House.

Shri Warior (Trichur): It is not clear whether the interim orders passed by the Tribunal will also be appealable, in which case the Tribunal will be able to proceed with its work only after the appeal is heard and decided, which will mean a great handicap in the way of its functioning efficiently and effectively. By my amendment I want to make this clear. That is why I have moved my amendment.

15 hrs.

[MR. SPEAKER *in the Chair*]

Shri Morarka: I think there is a misunderstanding on the part of Shri Warior. The proposed section 10D(1) clearly says:

"An appeal shall lie to the High Court having jurisdiction in relation to the place at which the registered office of the company concerned is situate, only on questions of law arising,—

(a) in cases against managerial personnel falling under Chapter IVA of Part VI, out of any finding of the Tribunal under section 388D."

Section 388D deals with the final order, and it is against that that an appeal is provided. Section 388C deals with interim orders, and it is clear that against that no appeal is provided.

Shri P. R. Patel: People's faith in justice should be maintained. Not only should justice be done, but everybody should have the confidence that justice would be done. So, my amendment is that the Government should request the Supreme Court to constitute the Tribunal.

I am of opinion that the members of the Tribunal should be all High Court Judges, because the Tribunal is given very wide powers. As you will see from page 4, the Tribunal will enquire into misdeeds and so many other things. You will see from page 11 that the Tribunal will be asked to enquire into circumstances suggesting—

> "that any person concerned in the conduct and management of the affairs of a company is or has been in connection therewith guilty of fraud, misfeasance, persistent negligence or default in carrying out his obligations....
>
> "that the business of a company is not or has not been conducted and managed by such person in accordance with sound business principles or prudent commercial practices; or
>
> "that a company is or has been conducted and managed by such person in a manner which is likely to cause, or has caused, serious injury or damage to the interest of the trade, industry or business to which such company pertains; or
>
> "that the business of a company is or has been conducted and managed by such person with intent to defraud its creditors, members or any other persons or otherwise for a fraudulent or unlawful purpose or in a manner prejudicial to public interest,"

These are wide terms. Keep them there as they are if you want, but these should be enquired into by a tribunal composed of Judges. We have every faith in the High Court and the Supreme Court and their Judges. Why not utilise the services of the High Court Judges? Why nominate a retired Judge on this Tribunal? Appointing a retired Judge to the Tribunal sometimes comes to political corruption. Anybody may be put in tribunals of this kind, and people's faith in justice will be shaken. Damn all directors if you want, I have no love for them, but if you want to damn a director or remove him or replace him or deprive him of his remuneration, it is a big penalty which should be given by a proper tribunal consisting of the judiciary.

The members of the Tribunal, it is provided, should be persons with adequate knowledge of and experience in law. A pleader of three to five years standing may be put. He may be said to possess adequate knowledge. If such persons are appointed, it would only strengthen the hands of the Executive, and they will always look to the Executive for their future career. This is not a good development. We are drifting away from the judiciary and having such a tribunal. It is not a good sign for democracy. So, the House may be pleased to accept my amendment.

I have every faith in the Finance Minister, but after all, the Finance Minister may be a man in business or in some company. We cannot exclude such a man becoming a Finance Minister, and he may have his own likes and dislikes. After all, human weaknesses are there. So, I think it would be proper and in the interests of democracy that the Tribunals should be composed of High Court Judges and appointed by the Supreme Court and none else.

Shri Solanki: In page 5, line 28, I want the word "only" to be deleted, because the appeal should be also on facts to the High Court. If the Tribunal comes to a wrong decision on facts, then the High Court can give relief. The evidence before the Select Committee is there to support us.

Lastly I want to insert the words 'or order' after the word 'finding' in line 31 on page 5. There is difference between 'finding' and 'finding in order'. That is the amendment.

Shri B. R. Bhagat: I do not accept the amendment of Shri Warior because as the hon. Member said, section 10D (1) (a) refers to—

> "cases against managerial personnel falling under Chapter IVA of Part VI, out of any finding of the Tribunal under section 388D".

He may mean that the interim order in the proposed amendment is in regard to application made under section 397 or 398 as the case may be under the provisions of section 493. It is not open to a party aggrieved by an interim order under this section to go to any High Court in appeal. Perhaps he may mean that sort of appeal. So, that amendment is not necessary.

The other point made by an hon. Member was that the tribunal should consist of High Court Judges. I think the Select Committee has deliberated over this. The Chairman will be of the status of High Court Judge. In a matter like this experience in management of companies, law, accountancy, etc. is necessary. I think his point is met because the Chairman is of that status.

Mr. Speaker: I shall now put all the amendments to the vote of the House.

The amendments were put and negatived.

Mr. Speaker: The question is:

> "That Clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

Clause 4—*Insertion of new Part IA after Part I*

Mr. Speaker: We go to clause 4—Are any amendments moved?

Shri Warior: Yes, Sir. I have an amendment—No. 2. I beg to move:

Page 6,—

(i) in line 16, *for* "such powers" *substitute*—

"all powers."

(ii) in line 17, *after* "Act", insert " , ".

In the constitution of the board on company law administration, it says here 'such powers'. Formerly this administration had other powers also, other than those mentioned in this clause, such as control of capital issues, stock-exchanges, financial corporations, etc. So, these powers also must vest in the board. They fall in the same category of activities. It cannot be visualised now which activity of the companies will have to be covered. It is necessary that there must be a co-ordinated action. So, all the powers that were formerly vested in the company law administration must be given to them. I see no reason why when the board is constituted some of these powers are taken away but not given to the board for more efficient and co-ordinated administration.

Shri Morarka: Sir, I think the amendment of Mr. Warior is based on some inadequate appreciation of the provisions of the Bill. All the powers under the Companies Act are delegated to this board. The clause here says:

> "As soon as may be after the commencement of the Companies (Amendment) Act, 1963, the Central Government shall, by notification in the Official Gazette....to exercise and discharge such powers and functions conferred on the Central Government by or under this Act or any other law as may be delegated to it by that Government."

The powers over stock exchanges or capital control are powers under

[Shri Morarka]

separate Acts and they could also be delegated. This enabling power has been taken here. All these powers cannot be embodied in this Act; they could not come under the purview of the Company Law Amendment Bill.

The Minister of Planning (Shri B. R. Bhagat): To supplement what the hon. Member has said clause 1[illegible] also gives the power to the Central Government to delegate any of its powers or functions, other than the power to appoint a person as public trustee under section 153A and the power to make rules, to the company law board. Except in respect of these two important and policy matters, the Central Government can delegate all its powers.

Shri Indrajit Gupta: These two powers are excluded. Does it mean that all the other powers are necessarily to be delegated?

Shri B. R. Bhagat: They can be delegated.

Mr. Speaker: I shall put amendment No. 2 to the vote of the House.

The amendment was put and negatived.

Mr. Speaker: The question is:

"That clause 4 stand part of the Bill."

The motion was adopted.

Clause 4 was added to the Bill.

Clause 5—*Amendment of section* 81

Shri Warior: I beg to move:

3. Pages 7 and 8,—

omit lines 34 to 42 and 1 to 4 respectively.

Shri P. R. Patel: I beg to move:

(i) Page 7, lines 29 to 31,—

omit "on such terms and conditions as appear to that Government to be reasonable in the circumstances of the case".

(ii) Page 8, line 16,—

for "thirty days" *substitute*—

"six months". (33).

Shrimati Subhadra Joshi: I move No. 46 and 47.

Mr. Speaker: 46 is the same as 3 and 47 is the same as 4. So, they are barred.

Shri B. R. Bhagat: I beg to move:

(i) Page 8,—

(a) *after* line 13, *insert*—

"(6) A copy of every order proposed to be issued by the Central Government under sub-section (4) shall be laid in draft before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions."

(b) in line 14, *for* "(6)" *substitute* "(7)". (56)

(ii) Pages 7 and 8,—

omit lines 34 to 42 and 1 to 4 respectively. (57)

Shri Hari Vishnu Kamath: While I do not wish to go into the merits of the amendments that have been moved, I wish to raise an important point of order with regard to the role of Select Committees of the House. I would invite your attention to the Lok Sabha debates of the 17th July, 1956. I am reading the relevant extracts, excerpts, from the proceedings of the House on that date, 17th July, 1956. A Member of the Select Committee, Shri Raghavachari, was about to speak or was speaking at that time, slightly differently from what the report had recommended, and the point of order was raised by the hon. Member Shri Barman. He

raised the objection, and Mr. Speaker—I believe it was Shri Ananthasayanam Ayyangar at that time—gave a very elaborate ruling covering nearly two or three columns of the debate. I will read excerpts from that, the ruling that he gave at that time. He said:

> "I think the object of a Bill being sent to a Select Committee is for the purpose of having the considered opinion of its members....Members of a Select Committee are expected to give a lead to the House; either they agree with the report or they do not agree. If every Member of a Select Committee bypasses the report of that Committee, what is the object of having sent the Bill to a Select Committee? Whose opinions are we considering here? Therefore, it is proper that any Member who differs from the majority report must append a note of dissent."

He went on to say, further:

> "But having been a party to the Joint Committee, I expect him—

that is the Member concerned who was speaking against the report of the Committee—

> "and all Members who were members of the Joint Committee to stand by the report. Otherwise, the whole thing will be a waste—

He used strong words—

> "and it will result in a false impression being given to this House. I do not say they are debarred from expressing their views now. They may say by announcing that 'I am very sorry; I am not aware of it'."

Then, there are the Directions of the Speaker—87 and 88—where it is said that the Member should definitely say before he appends a Minute of Dissent that he has read the report, and if he does not append a Minute of Dissent, it is understood that normally he agrees with the recommendation of the report. I am making this point at this stage because I do not know whether the Members of the Select Committee who have not appended a Minute of Dissent will speak here against the report of the Committee. I am not aware; I do not know at the present stage. But the stage will come a little later on when the voting stage is reached. I want a definite ruling from you whether Members of the Select Committee who failed to append a Minute of Dissent to the report of the Committee will be in order if they vote against a particular recommendation of the Committee from which they have not dissented, to which they have not appended a Minute of Dissent. That is an important point for salutary parliamentary convention and tradition to grow in this country. Otherwise, the Select Committee will become a farce if a contrary convention grows in our country, where a Member, not appending a Minute of Dissent, speaks and votes as he likes, opposes a recommendation of the Committee even if he did not append a Minute of Dissent. You will please consider this point with regard to clause 5 which is a very controversial clause, which has been the subject-matter of debate inside and outside this House, and guide the House and the Members of the Select Committee who, so far as this clause is concerned, speak differently from the recommendation of the Committee, and vote on it also likewise, even though they have not appended a Minute of Dissent.

Shri Morarka: Before you give a ruling on the point raised by Shri Kamath, I want to know whether it would be proper for us to discuss what exactly transpired in the Select Committee, because that has a bearing as to why the hon. Minister did not append a Minute of Dissent. He wanted to, but would it be proper for

[Shri Morarka]

me to tell the House under what circumstances he did not append a Minute of Dissent? If you permit me, I would say. I would like to proceed only if you permit me to say what happened.

Mr. Speaker: I would not allow that, but if it was such a situation . . .

Shri Warior: Can a Minister put in a Minute of Dissent?

Mr. Speaker: He is also a Member of the Select Committee.

Shri Indrajit Gupta (Calcutta South West): There was some doubt on that question.

Shri Warior: If there is a doubt, you must give a ruling.

Mr. Speaker: He is as good a Member of the Select Committee as anybody else. Therefore, if the decision is different from what he holds, he can always say there that he does not agree, but if such were the situation, the Minister could explain it: he could explain the grounds on which he could not by that time append a Minute of Dissent. If he differed from the point of view that had been taken, he should explain to the House, and the House should be aware of such a situation having arisen. The House should not be taken unexpectedly under the impression that all Members had agreed to the report that was made by the Committee and particularly the Minister who is in charge of the Bill and who is sponsoring the Bill. There would be a presumption that probably he had agreed to what the decision had been.

Shri A. N. Vidyalankar (Hoshiarpur): I was a Member of the Select Committee. The Minister made it clear there that he did not agree with that amendment.

Shri P. R. Patel: But he did not append a Minute of Dissent

Mr. Speaker: What Shri Kamath says is that if the House is not told the reasons, and if any Member of the Select Committee stands up and begins to oppose the decision that has been taken without having appended any Minute of Dissent to that report, then Members may remain under the impression that probably he was not a Member of the Select Committee. Therefore, if in any extraordinary circumstances, a case has arisen where a Member has changed his opinion or at that time also was of a different view but was unable to append a Minute of Dissent, then, when he stands up, he should make it clear here before the House so that the House must be forewarned that though at hat time he had not appended that Minute of Dissent, he was of that opinion or that later he changed his opinion. Both cases must be let known to the Members when they hear the Member of the Select Committee, so that with that background, knowing all the information that he has given, the debate may proceed.

Shri A. N. Vidyalankar: The convention is that the Minister does not append a Minute of Dissent. It was pointed out there: that according to the convention the Minister cannot append a Minute of Dissent.

Mr. Speaker: He must explain that and say that under the convention he has not appended a Note of Dissent. He owes it to the House that he should explain to the Members that "this is the report, but I did not agree at that moment; I did not append or could not append a Note of Dissent" etc. Or, if he has changed his mind, subsequently, he should make it clear before the House.

Shri Morarka: Before you part with this subject, may I say a word or two? I was partly responsible for this particular episode. In 1953 or 1954, the Income-tax (Amendment) Bill was referred to the Select Committee. Shri C. D. Deshmukh who was then the Minister in charge of

that Bill did not agree with the majority view of the Select Committee, and he wanted to append a Minute of Dissent. A similar objection was taken, and I believe the matter was referred to the then Speaker: I think it was Shri Mavalankar. He gave his opinion or rather advice that the Minister should not append a Minute of Dissent. Otherwise, it would be very embarrassing and though the Minister is a Member of the Select Committee he is a little more than that, and it would be highly embarrassing if a Minister appends a Minute of Dissent. I had followed that, and based on that experience of mine, it was I who told the Minister that it is not proper for a Minister to append a Minute of Dissent.

Mr. Speaker: Then, he must explain it to the House. That is due to the House.

Dr. M. S. Aney: Did that Member reserve the right of expressing a contrary view on the floor of the House? He must have reserved that right at that time and specifically said that he reserves the right to express a contrary view on the floor of the House. Then alone he can come here and express a different opinion.

Shri A. N. Vidyalankar: Unfortunately, I was not present then. May I move my amendment?

Mr. Speaker: Now his amendment is barred, because Mr. Warior has moved his amendment, which is just the same.

Shri A. N. Vidyalankar: My name is also associated with it.

Mr. Speaker: I will give him an opportunity to speak on that.

Shri M. R. Masani: Sir, the choice before the House is between the clause as contained in the Report submitted by the Select Committee and the two amendments moved by the hon. Minister. That is the narrow issue before the House. Before I explain it, may I say I was rather amazed to hear the Minister blaming me for warning Government and Parliament against rejecting the advice of the Select Committee? I explained that the Select Committee had modified the clause and put in the proviso because they thought that the Bill as it was would damage India's credit abroad. The Minister thinks that my speech will damage India's credit abroad. Nobody very much cares what I say in the House. It is the actions of the Parliament and the Government of this country that will decide the credit of India abroad. My warning was that, if this clause is passed in the form that the Government wants and not in the form recommended by the Select Committee, it will deal a great blow to the credit-worthiness of this country, which needs foreign capital so badly. On the contrary, the Ministry now says that my speech will damage the credit-worthiness of India. Sir, I am very much flattered at the importance he gives me, but unfortunately, it is the action of the Government that will damage India's credit abroad and not speeches....

Mr. Speaker: Foreign investors may also see that Mr. Masani had already warned the Government.

Shri M. R. Masani: I am grateful to you for the compliment, but the fact is that they do not need my warning. They move very fast and they know exactly what is happening in the country. They are not going to be guided by a small man like me. It reminds me of the saying:

चोर कोतवाल को डांटे ।

Sir, following the advice given by your hon. predecessor, Shri Mavalankar, which has just been read out by Mr. Kamath, I propose to do my duty as laid down by Mr. Mavalankar, of standing by the report of the Select Committee. Mr. Mavalankar said that it is the obligation of any member of the Select Committee who has not dissented to stand by the report

[Shri M. R. Masani]

of the Select Committee. I stand by that clause as modified by the Select Committee. It provides two safeguards. One is that there should be default and the other is that there should be three months' notice to the defaulting company to put itself right. If it does so, nothing arises. But if the company does not take notice and continues in default for three months, then the contract should be modified and Government could take action. That is what the Select Committee recommended.

The Finance Minister has moved two amendments Nos. 56 and 57. 57 comes first in point of drafting. It refers to omitting lines 34 to 42 and 1 to 4 of the respective pages. That, Sir, is the whole proviso put in by the Select Committee. The Minister wants to undo what the Select Committee did to safeguard India's credit abroad and prestige at home. I oppose this amendment and I stand by the report of the Select Committee for the very good reasons given by Mr. Mavalankar, your predecessor.

So far as the other amendment is concerned, I am glad that the strength of feeling on this matter in all quarters has persuaded the Minister to put in one safeguard. As I mentioned, the Select Committee had put in two safeguards: one is default and the other is 3 months' notice. The Minister still does not accept default. But I am glad to see that he has met part of the point of view of the majority of the Select Committee by bringing in an amendment which certainly will give notice of 30 days if not 90 days. This is a matter of detail and I do not think we are interested in the number of days. But the fact remains that notice is given to the party concerned and, what is more, notice is given to Parliament and Parliament under its rules will be able to discuss a motion on it, if it so desires. So I think this amendment certainly meets half way the position of the Select Committee.

Shri Bade: Not half way, but quarter way.

Shri M. R. Masani: It means one of the two points made by the Select Committee has been met. What percentage it is, I am not concerned with. I do recognise that the Minister has met opinion on this subject half way and I welcome it. But I still think that the deletion of the proviso, as recommended by the Select Committee, is unfortunate and it will harm the country and the flow of foreign capital. Therefore, following your hon predecessor's advice to members of the Select Committee, I propose to vote for the clause as it was recommended by the Select Committee and to oppose amendment No. 57, which has been moved by the hon. Minister.

Shri Daji (Indore): Sir, I have first of all to request the House through you that the matter should not be viewed as it is being sought to be viewed, namely, that one should not alter a report of the Select Committee on the ground of constitutional propriety.

Mr. Speaker: No body has said like that.

Shri Daji: Not exactly like that, but Mr. Mavalankar's ruling was quoted as a precedent as if . . .

Mr. Speaker: He only takes advantage of that because he supports the Select Committee's view.

Shri Daji: But I would request the House to look at the question more fundamentally. Really speaking, what we propose to amend is one good salutary provision that existed in the Bill which was placed before the House and which was referred to the Select Committee.

In ordinary cases, giving powers to the Government may be a different matter. But considering the particu-

lar background in which this clause has come, this is not only essential, but I would go to the extent of saying that instead of "may" my hon. friend who has moved the amendment should have used the word "shall". It is not a question that Government may convert loans into shares but Government should in each and every case convert loans given to private parties into shares. After all, there is nothing very shocking about it and I certainly join issue with my friend, from Rajkot when he said that foreign investors would be shaken.

Sir, we have heard so many times and too much about frightening away foreign investors. It is a case which in Hindi is called:

भाई को उतना न लगे जितना दाई को लगे

Some of our friends are behaving as if they are more exalted protectors of foreign interests than the interests themselves. It only shows where their heart lies. Only a week back, we were told by no less a person than the British High Commissioner in India . . .

Mr. Speaker: He is not protecting foreign interests here. He has said that if our credit-worthiness goes down, we will suffer.

Shri Daji: I want to say that nothing like that is likely to happen because of this clause even remotely. I saw with restraint and respect that even to thing that our credit-worthiness will fall because of this is libellous and anti-national. Because of this clause, our credit-worthiness is certainly not going to fall. It is quite strong in the world and we are not taking any drastic expropriatory or any such measures that our credit-worthiness in foreign countries will fall because the Government is given this very halting power that Government "may", if they want, convert the loans into shares.

Shri Morarka: Both may be right. It may fall in America and it may not fall in Russia.

Shri Daji: It would not fall in America also. Since my hon. friend has provoked me, I would say this that even if our credit-worthiness will fall, it will only fall in quarters who regard profit-making as the only dominant motive in investing here and looting the poor people of India. This clause is not going to affect anyone who wants to help India in a friendly manner. I have not got an iota of doubt about this. For an hon. Member of this House to get up and say that our credit-worthiness is going to fall is not in the best traditions of nationalism, to put it at the least.

An hon. Member: We have to learn nationalism from you?

Shri Daji: Yes, you have to learn many things from me. Some of my friends, sitting with me are putting silly questions like this. There is a scar on my face, which is because of my participation in the national movement, which many of you cannot boast of.

An hon. Member: It may be from Chinese.

Shri Daji: Please do not bring in Peking here.

Mr. Speaker: Order, order.

Shri Daji: Only the other day, the British High Commissioner in India made a statement which said that the climate and conditions for foreign investment in India are quite healthy and he was expecting a good amount of foreign investment. He went on to say, which was more remarkable, that the rate of profit in India on normal business was quite attractive. That was the statement made by the British High Commissioner in India, and I think he certainly knew what he was talking about. So, I cannot understand why the Government has used the word "may". I would submit that it is a mild term.

Shri Bade: Is he speaking on the amendment or giving his view on the report of the Select Committee?

Mr. Speaker: He is talking on the amendment.

Shri Daji: What I was submitting was that even the word "may" casts a duty on the Government to act when public interest warrants it.

Shri Gauri Shanker Kakkar (Fatehpur): Sir, I rise on a point of order. I do not think that we are now having a regular discussion on the amendment. A point of order was raised earlier by my hon. friend, Shri Kamath. He made a reference to a certain ruling given by the hon. Speaker and then, Sir you also gave the opinion that the Minister concerned is expected to explain the actual circumstances in which he changed his mind or explain certain incidents which have led him to change his mind. I think we were on that discussion and that will not be over until you give your ruling on that.

Mr. Speaker: That was over long ago.

Shri Gauri Shanker Kakkar: No, no.

Mr. Speaker: Order, order. Perhaps, he has not followed it because of the pace at which we have been travelling. That we finished long ago. Now we are discussing the amendment.

Shri Daji: I think that coupled with the words "public interest" the word "may" may give wider powers to the Government and it may be interpreted to mean that a duty is cast on the Government by the Act whereever possible to force the issue of shares in place of the existing loans. I do not know, we have been told that the defaulting companies which have been given loans and to which this clause will apply will be hardly 3 or 5. As far as I know, not even one of them is a foreign company, and the most important case in the case of a big steel magnate who has been given Rs. 10 crores almost gratis and nothing has been returned. The money has been invested, profits are being earned and yet those Rs. 10 crores are not being returned even by instalments; not only that, even as interest, not a single pie has been paid by that company as yet. Therefore, in order to hide this glaring fact, this bogey of frightening the foreign investor may be used as a smoke-screen. So, let us face the facts as they are. Certain business houses have managed to get loans from Government which they are not repaying. Not only that, they are not even paying interest on that. Under these circumstances, there is no other go but to bring in this provision which will arm the Government with the powers to convert the loans into shares in order to safeguards the public interest.

If we are going to speak about the principles of equity and all that, I think no principle of equity can be said to be violated when the interests of one are set as against the interests of the whole nation. There is groups of 4 or 5 individuals, concerns or companies which has managed to lay its hands on the national wealth and it is not returning it. If, under these circumstances, we give such powers to the Government in order to secure national interest by converting loans into shares, I do not think any principles of natural justice are violated.

Lastly, default is not the only question which can be covered by "public interest". "Public interest" is a wide term. It includes the interests of the whole economy, whole nation. Therefore, it is certainly not correct to restrict this only in the case of defaults. Technically speaking, man may not be defaulting. I cannot go into the details. Only the other day, the Minister of Steel, Mines and Heavy Engineering, Shri Subramaniam was saying in reply to a question that one of the terms of the agreement is such that the firm will never be in default. It seems under one of the terms Government should pay in another name a sum of Rs. 10 crores to that firm and from that payment the firm will pay back what it has taken earlier! So, it

is as good as written off. Under these circumstances, technically a man may not be defaulting. Even then, if public interest demands, strong action should be taken, because it is a question of national wealth. Therefore, I submit that the House should consider this dispassionately and should accept this amendment.

Shri Bade: Mr. Speaker, I have heard my hon. friend from Indore, Shri Daji, who is an advocate of long standing. But when he makes an academic discussion, when his principles are brought in, his mind becomes biassed because of the views of his party. As a matter of fact, when we are making or enacting a law which will have retrospective effect, we have to consider whether Government is discharging a governmental function or the function of a creditor to a debtor. Here the question is whether a creditor is entitled to abrogate or modify the terms of the contract unilaterally. If my learned friend goes into that question, certainly he will come to the conclusion that a contract between a debtor and a creditor, a money-lender and a borrower, should not be wiped out like a scrap of paper.

The question that has to be considered is not whether it will affect three, four or five concerns. That is not the question. The main question is whether this Parliament should pass a law whereby we arm the Government and the Government servants with wide powers without any restrictions. Any Government servant can take action under the proposed law by saying that it is in the public interest. My learned friend, Shri Daji, knows—he has conducted so many cases—that the term "public interest" in the words of a High Court is very nubalous, vague and mischievous. There are any number of conflicting cases on this point of "public interest". Any officer in his sweet will can interfere by bringing in "public interest". So, the question that I ask is whether this Parliament should arm such officers with wide powers to act "in public interest" and that too when the provision has retrospective effect. So, there is every objection to making it retrospective.

Then there are two clauses that notice should be given to the defaulter. The Select Committee has amended the clause, and I think it is very proper. If my hon. friend, Shri Daji, looks at this provision from the point of view of an advocate, I have no doubt that he will come to the same conclusion to which I have come.

Mr. Speaker: Are both hon. Members practising in the same High Court?

Shri Bade: Lastly, we have taken a decision that we will have a mixed economy. If there is a mixed economy, a private company should not be taken over by making or converting the loan into capital, thus making it a company in the public sector overnight. That is my objection, and I hope the House will consider it.

Shri A. N. Vidyalankar: Mr. Speaker, I have given notice that the proviso to sub-clause (4) should be omitted. In the report of the Select Committee also I appended a minute of dissent. On the very first day when our hon. Finance Minister commended the report of the Select Committee for the consideration of the House, he made quite clear the reasons for which he could not accept the proviso that was added by the Select Committee. I have also agreed with the reasons given by him. It has been stated in the course of general discussion that constitutional difficulties come in the way. If the constitutional provisions did not permit conversion of loans into equity shares, then in the case of defaulters also the same provisions will stand in our way and in the case of defaulters also the conversion will not be possible as provided. Therefore, I cannot understand the position of those who say that in the case of defaulters, the constitutional provisions did not stand in the

[Shri A. N. Vidyalankar]

way, but in the case of other conversions, they stood in our way. The proposal that the hon. Finance Minister has put before us is based on some past experience. Past experience with whom? It is based on the past experience with those who are at present loanees who have taken loans from the Government and they have behaved in a manner and have used loans in a manner that the Finance Minister has thought it fit to come to the House.

Sir, several times in the course of various discussions this House has desired that disparities in income should be reduced. At present, the tendency is that a few persons are getting richer and richer and the poor are getting poorer. This tendency should be checked. On one side we desire the Finance Minister to put certain checks, to take suitable measures to see that this tendency should be checked, and on the other hand when the Finance Minister proposes some measures on the basis of past experience with those who have taken loans when he wants to prevent them from misusing those loans and influence when he wants to put certain checks on them, some of our friends stand in the way and they say, "No, these loans should not be converted into equity shares." I do not understand them. On one side we desire the Finance Minister to follow certain policies and when in pursuance of those policies the Finance Minister desires to take effective action. Some of us try to prevent him from doing so. Therefore, I think, in this matter the Government may be given full powers. It has been stated that it will be done in the public interest. I think that the proviso added by the Select Committee should be removed and the rest of the clause should be passed.

Shri P. R. Patel: Mr. Speaker. Sir, this clause gives power to the Government to convert loans into equity shares and in this clause the words are:

> ". . . on such terms and conditions as appear to that Government to be reasonable in the circumstances of the case."

Now, when a contract is there, the general principle is that it can be amended or repealed by both the parties with consent. Now, here the clause gives the authority to Government to convert loans into equity shares unilaterally without the consent of the other side. Whether it is proper or not, I do not want to go into that. But to convert loans into equity shares on such terms as the creditor chooses.....

Shri Morarka: The proposed subsection 6 of section 81 provides for a right of appeal to the court.

Shri P. R. Patel: The right of appeal is there. But there it is stated:

> " . . . as appear to that Government to be reasonable in the circumstances of the case."

So, it should appear to the Government as reasonable. Under the circumstances, its decision is to be taken on such terms as the Government decides. If the other side is not satisfied it may go for an appeal. That is a different question. But here to give that power to the Government, to the creditor, to dictate terms on which the conversion is to be done is not proper. I would cite one example. Suppose today's market price of the equity share is Rs. 144 or Rs. 145 and the Government thinks it reasonable that the loan be converted into shares at the price of Rs. 199 and the Government thinks that that is reasonable. To give such an authority to the creditor is not proper. That is my submission. In the circumstances I request that my amendment may be accepted.

Shri D. N. Tiwary: Mr. Speaker, Sir, I support the amendment of the Government. During the general discussion here, two objections were taken against the amendment. My hon. friend from Rajkot said that by introducing this amendment, the Government is guiity of breach of contract and the second argument that he put forward was that the leader of the Congress Party hoodwinked the Party Members and dictated them to do things in a certain way. I think, both the charges are wrong. Whether it is in the interest of Mr. Masani or not, I cannot say. But if he comes to the breach of contract, I may give an instance that in Bihar and U.P. there was permanent settlement of zamindaries and they were abolished. It was permanent settlement; no voice was raised by Mr. Masani at that time when that contract was breached and the poor zamindars like us have now become almost paupers. He did not object to that because that was in the national intterest. *(Interruption)*.

Mr. Speaker: Hon. Members should presume that very hon. Member is speaking to further the interests of the nation. It is only the difference of opinion. One might think that it is in the public interest to take to one policy and the other might think just the contrary. Every hon. Member is speaking in the public interest.

Shri D. N. Tiwary: What I want to bring home to this hon. House or to our esteemed friend from Rajkot is that no contract is sacrosanct and this Parliament has got powers to change any contract at any time if it thinks in the public interest. Not only the zamindari was abolished in Bihar and U.P., but even our marriage contracts are being changed every day. Where is the question of it being sacrosanct.

Mr. Speaker: He need not come to the marriage contract at this hour of the day.

Shri D. N. Tiwary: Is it taken that the Portuguese had some contract with some ex-kings here and that they should not have been ousted? Does he mean to say that?

The second point refers about the attack on our leader. He is perhaps mistaken. The back-benchers, as you call them, or the Members of the Party wanted to go a step further. If there was a failure of payment on this or on that, they wanted to make the loan of the Government turned into equity share in every company that has taken the loan. So, the leader exercised control on the Members of the Party and then he made this *via media*. There was a wrong casting of aspersion on our leader.

With these words, I support this amendment.

श्री शिवनारायण (वांसी) : अध्यक्ष महोदय, मैं इस अमेंडमेंट का इसलिए समर्थन करता हूं कि इस से देश की ९० प्रति शत जनता को फायदा पहुंचेगा । सोसाइटी के हत में सरकार ने जमींदारी का एबालिशन किया और गरीब काश्तकारों को इधर से उधर नचाया उस समय हमारे विरोधी दल वालों ने कोई आवाज नहीं उठायी । लेकिन आज जब कुछ बड़े लोगों का मामला सामने आया तो मसानी साहब परेशान हो गये और कहने लगे कि इससे दुनिया में हमारी नाक कट जायेगी । मैं कहता हूं कि यह बहुत अक्लमंदी का कदम उठाया गया है और इस मामले में गवर्नमेंट ने हम को फोर्स नहीं किया है, लेकिन हम मेम्बरों ने गवर्नमेंट को यह चेंज करने के लिए फोर्स किया है । हम मेम्बरों ने एक्जीक्यूटिव और सेलेक्ट कमेटी के गलत डिसीशंस को ठीक किया है । ऐसा हम ने किसी के डिक्टेट पर नहीं किया है । इस के लिए हम लोगों पर अपने लीडर का कोई दबाव नहीं था बल्कि यह तो कांग्रेस पार्टी का अपना डिसीशन है । **इट इज इन दी पब्लिक इंटरैस्ट** । यह मेजर किसानों और गरीबों के इंटरैस्ट में है ।

[श्री शिवनारायण]

इन अपोजीशन वालों की तो हम कांग्रेस वालों की नुक्ताचीनी करने की आदत सी पड़ गयी है । जब भी हम कांग्रेस वाले कोई नेक और जनता की भलाई का काम करते हैं तो अपोजीशन वाले हमारी नुक्ताचीनी करते हैं और गाली वगैरह देते हैं । लेकिन हमारे इस क़दम से मैं समझता हूं कि हमारे विरोधी भाइयों को भी इस बात का इतमीनान हो गया है कि यह मेजर पूंजीपतियों के हित में न हो कर देश की ९० फ़ीसदी जनता के हित में है । इसलिए मसानी साहब बेकार में परेशान न हों और घबरायें नहीं, हमारी नाक जैसी उन की आशंका है, कटने वाली नहीं है, अपितु ९० प्रतिशत जनता के हित में किया जा रहा हमारा यह कार्य हमारा मान देश में और बाहर बढ़ने वाला ही सिद्ध होगा ।

Mr. Speaker: Now, the hon. Minister.

Shri Warior: Before you call the hon. Minister, I just want to make one submission.

16 hrs.

Mr. Speaker: When I wanted to call the hon. Member earlier he just pointed to Shri Daji, but now he wants to speak.

Shri Warior: I only wanted Shri Daji to speak first.

At page 8 of the Bill, in the proposed sub-section (5) of section 81, it has been provided that:

> "In determining the terms and conditions of such conversions, the Central Government shall have due regard to the following circumstances....".

Then, the circumstances have been mentioned. In the light of the new amendment which the hon. Minister has proposed, which seeks to place the intention of Government or the proposal of Government on the Table of the House for one month's time, what will be the position of the market value of the shares? Will the term 'market value' mean the original value of the shares or the value after one month's time? When Government announce their intention and it is published, the market value of the shares may go up and if Government give the market value as it obtains after one month, then they may have to pay much more than the original value.

Mr. Speaker: That would be a good opportunity for the hon. Members to clutch at them.

Shri Warior: I want a clarification on this point because this is a new amendment which Government have brought forward.

Shri Hari Vishnu Kamath: I would like to move an amendment to amendment No. 56, as follows:

> "That in the amendment proposed by Shri B. R. Bhagat, printed as No. 56 in List No. 7 of amendment,—

in (a), add at the end:

> "and if before the expiry of the session in which it is so laid or the successive sessions aforesaid, both Houses agree in making any modification in the order or both Houses agree that the order should not be made, the order shall thereafter have effect only in such modified form or be of no effect as the case may be.".

Shri M. R. Masani: That is usual.

Shri Hari Vishnu Kamath: Usually, that is the formla that has been adopted in all Bills so far.

Mr. Speaker: Let me know the reaction of the hon. Minister.

Shri Hari Vishnu Kamath: But the hon. Minister has gone only half way. I want to assert the supremacy of Parliament in so far as legislation is concerned, and I hope the hon. Minister will agree to this amendment, because that will be in consonance with precedent in regard to all the Bills that we have adopted so far in this House.

Shri T. T. Krishnamachari: Before framing this amendment, I had looked into other provisions of this nature, particularly section 620 of the parent Act.

My own feeling is that in a matter like this, it will be sufficient to place it on the Table of the House, and if Members of the House want to raise a discussion, as you know, their powers are unfettered. A positive sanction is not necessary in this sense that hon. Members may not take any notice of it or they might leave it alone. I want to leave it free to them either to take notice of it or not. I am sure that in this House, in the future, not only Shri Kamath will be here for a long time, but there will be other Members like Shri Kamath, and they would not let any grass to grow under their feet.

Mr. Speaker: The hon. Member's point is this. Supposing it is placed on the Table of the House just towards the end of the session, when there are just one or two days for the session to end, and it is prescribed that....

Shri T. T. Krishnamachari: If you read the amendment, you will find that it may be placed in one session or in more than one session; the language of the amendment is:

> "for a total period of thirty days which may comprise of one session or in two or more successive sessions....

So, it has to be before the House for 30 days when the House is in session. So, what you are suggesting is not something which can be done.

I have taken the wording from section 620 of the Act, and I have bodily lifted it here.

Mr. Speaker: But modification is not provided for.

Shri T. T. Krishnamachari: It is for the Members to act. If we put it down in the provision, it becomes a positive sanction. Members might ignore it. If they ignore it, then that does not happen. I have not asked here for a positive action. I merely bring it to the notice of the Members, and they can take action if they want. I do not think that the position is one where a positive sanction is needed; getting a resolution to be moved is not needed. I think the Members are watchful enough.

Mr. Speaker: I shall just make myself clear about it. Would it be possible for the Members to bring forward any modification?

Shri T. T. Krishnamachari: When once any paper is laid on the Table of the House, they can table a motion and ask for a debate. Once there is a positive resolution that Government shall not do it, Government shall not do it. I have examined this matter very carefully. As I said, I have copied the language of section 620 of the Act.

Mr. Speaker: But there are cases where it is only laid for the information of the House. There are others where it has been specifically laid down that the House is empowered to make any modification in the rules etc.

Shri T. T. Krishnamachari: That is so. Who could take away the power of the House to direct Government to do something else? It is generic. Nobody can really curtail the power of the House. We do not want an express thing that there should be a positive action. My feeling is that the powers of the House cannot at all be curtailed, and it is open to the Members to take it up.

Mr. Speaker: The hon. Minister was referring to section 620?

Shri T. T. Krishnamachari: I have only taken the language of the first part of section 620 and left the latter half of it.

Mr. Speaker: Would it not make a difference if he leaves out the latter part?

Section 620 reads:

> "A copy of every notification proposed to be issued under sub-section (1) shall be laid in draft before both Houses of Parliament for a period of not less than thirty days while they are in session and if within that period, either House disapproves of the issue of notification or approves of such issue only with modifications, the notification shall not be issued or, as the case may require, shall be issued only with such modifications as may be agreed on by both the Houses.".

Shri T. T. Krishnamachari: That is implied.

Mr. Speaker: I think Shri Kamath has taken the language of his amendment from this provision.

Shri T. T. Krishnamachari: He may have taken it from somewhere else. I do not mind that. But the point is that it is really implied in it.

Mr. Speaker: If the hon. Minister is sure, the House may not mind it. But, otherwise, the House is very jealous of its rights and wants to retain the rights which it has got.

Shri T. T. Krishnamachari: As a matter of fact, even as it is, if the House disapproves within that time, then Government cannot act.

Mr. Speaker: There is one difficulty in this case. The hon. Minister has only taken the first portion from section 620, and he has said that it shall be laid on the Table of the House for thirty days. Supposing the House is vigilant and the Members take it up also and a resolution is also passed, in that case, Government have to take action after that, that is, after some time. But if this form is there, then, as soon as a resolution is passed and a modification is recommended, then at that very time the modification can come into effect. One would be only a recommendation in the form of a resolution, and the other would be an action taken.

Shri T. T. Krishnamachari: Here, I am also giving an opportunity to withdraw it. One of the reasons why I took the latter portion out was to give an opportunity to Government to withdraw the notification. The present language of the amendment allows for a certain amount of elasticity, if it is not spelt out. Government can withdraw the notification also.

Mr. Speaker: Now, the difference becomes clear that at that time there will be an opportunity to Government to withdraw the notification.

Shri T. T. Krishnamachari: If Parliament says 'We do not like this', then we shall withdraw it.

Mr. Speaker: Then, it is left to the Government to withdraw it afterwards? That means that Government may take some time to withdraw it, and meanwhile, it might continue in force?

Shri T. T. Krishnamachari: The distinction is this. The distinction between the language of 620 and the language of the present amendment is this. This amendment relates to an executive order which we are placing on the Table of the House. Section 620 deals with subordinate legislation and delegated legislation only. So, I prefer the present wording, because it will give power to Government to retract and say 'No, we shall withdraw it, and no action will be taken at all.'.

Shri M. R. Masani: May I make a submission? While I appreciate Shri

Kamath's anxiety to put everything properly and to dot the i's and cross the t's, my own feeling is that the language of the amendment as it reads does mean what the hon. Member has said, because the amendment reads:

> "....a copy of every order proposed to be issued....".

So, it is not an order, it is a mere proposal. It is not implemented at all, and it has no operative force. It remains as a proposal for thirty days before the House, and in respect of anything that is laid on the Table, we have a right to discuss it and to have a motion on it, and if the House passes a contrary motion or an amending one, obviously the order does not come into force or comes into force in the amended form....

Shri T. T. Krishnamachari: If a contrary motion is passed, Government will not issue the order at all.

Shri M. R. Masani: ....So, it is only a proposed order and not a completed fact at all.

Mr. Speaker: There should not be any objection in that case, if before issuing it, only the proposal is placed before the House.

Shri Hari Vishnu Kamath: May I submit one word? This harks back to the political history of the conflict between the executive and the legislature, and the supremacy of Parliament has since been fully established. It is not an accepted principle. I invite your attention to article 359. A similar question arose in that connection in regard to DIR orders placed on the Table. I raised that question then. It says 'Every order made under clause (1)....

Mr. Speaker: He should realise the distinction. The order is not *made* here.

Shri Hari Vishnu Kamath: Yes, proposed to be made.

Mr. Speaker: One is order made; the other is a proposal before Parliament. They are two distinct things. Here nothing would be done until 30 days have passed since the order proposed is laid on the Table.

Shri Hari Vishnu Kamath: Before the expiry of 30 days, will it be open to the House to modify it by an amendment or only by a Resolution?

Mr. Speaker: I am sorry I was rather confusing the two. There it was an order already made; here it is only a proposal.

That is all right.

Shri T. T. Krishnamachari: I do not know if you want me to reply to the points raised.

Mr. Speaker: Not that, but the other points made about amendments.

Shri Hari Vishnu Kamath: I raised a point whether the Minister, if he differed from a Select Committee's Report, should append a minute of dissent before he opposes it.

Mr. Speaker: We have finished that. I have made my observations.

Shri Hari Vishnu Kamath: Have you given a ruling on that?

Shri Bade: This is very important. I also raised the same point, whether the Minister can say something against the Select Committee's Report without appending a minute of dissent.

Mr. Speaker: I have made myself clear.

Shri T. T. Krishnamachari: So far as the arguments are concerned, they cut both ways. In all conscience, it is a difficult proposition. I do not say that it is something very simple. I have been at pains to find out how to accommodate at any rate the safety factor into it and not completely make it infructuous, at any rate in regard to some types of loans if the proviso is accepted. I mentioned—at that time the Speaker was not here—that Parliament is the biggest court that

[Shri T. T. Krishnamachari]

people could have. It is referred to this court. If it is improper action, it is subject to scrutiny by the House. Some Minister might do it. It is an executive order. There might be a Cabinet meeting or there may not be. But here the full glare of publicity is turned on it. I do not think it should be further tightened. 'The Central Government shall....'. 'Shall' means Government completely abdicating any right. It cannot say tomorrow the loan must be converted—that is not so. Whether we want to do it today or tomorrow or not at all is a different matter. In everything, there is the question of negotiation. It may be that only a part of a loan may be converted, a very small portion of it, or not at all.

So as I have said, the qualification of the wording of the clause by the use of the words 'public interest' makes it necessary for Government to justify any particular action in public interest. Secondly, I have provided the other safeguard, for Parliament to know about it; it can see that no improper action is taken; it can see that the right action is taken.

Therefore, I am unable to accept any other amendments. I want the proviso to be taken out and this particular clause to be inserted.

Shri Hari Vishnu Kamath: I rise to a point of order. I have got to raise this again. I had raised that question earlier and if I heard you aright —I could not get the reporters' copy, it is too early to get it—you stated in reply to a question by a Member on the opposite Benches whether it is open to a Minister to append a minute of dissent from the Select Committee's report if he disagreed with it, that the Minister is a Member of the Committee and, therefore, he is entitled to write a minute of dissent, if he dissents from the Committee's Report. If he does not do so, he should explain to the House, he owes it to the House, that he should explain why he is now taking a different stand; he should make his new stand clear to the House and give the reasons for the change in his attitude.

Shri T. T. Krishnamachari: I have said it many times.

Shri Hari Vishnu Kamath: He was not present here when I raised the point of order. I saw the Deputy Chief Whip of the Congress party running to fetch him.

Mr. Speaker: He must have read it or he will read it. He raised a point of order. I gave a ruling. What further does he want?

Shri Hari Vishnu Kamath: By your leave, Sir, I had gone to attend a meeting of the Committee on Private Member's Bills and Resolutions. I was not here when you gave the ruling, and I could not get the reporters' copy either.

Mr. Speaker: He should read it.

The question is:

"Pages 7 and 8,—

omit lines 34 to 42 and 1 to 4 respectively." (57).

The motion was adopted.

Mr. Speaker: The question is:

Page 8,—

(a) *after* line 13, *insert*—

"(6) A copy of every order proposed to be issued by the Central Government under sub-section (4) shall be laid in draft before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions".

(b) in line 14, *for* "(6)", *substitute* "(7)". (56).

The motion was adopted.

Mr. Speaker: Amendment No. 3 is barred because it is the same as No. 56. Then there are amendments Nos. 30 and 33.

Shri P. R. Patel: I beg leave of the House to withdraw them.

The amendments were, by leave, withdrawn.

Mr. Speaker: There is no other amendment left. I shall put clause 5, as amended, to the vote of the House.

The question is:

"That Clause 5, as amended, stand part of the Bill".

The Lok Sabha divided.

Some Hon. Members *rose*—

Mr. Speaker: Any corrections? I find that one 'No' has to be added, and one 'No' to be subtracted. So, the Noes remain as they are. Four 'Ayes' to be added, one Whip and one Minister also!

Division No. 12] **AYES** **[16.17 hrs.**

Achuthan, Shri
Alva, Shri A.S.
Arey, Dr. M.S.
Bal Krishna Singh, Shri
Balakrishnan, Shri
Banerjee, Shri S.M.
Barkataki, Shrimat Renuka
Barupal, Shri P. L.
Basappa, Shri
Basumatari, Shri
Baswant, Shri
Bhagat, Shri B. R.
Bhanja Deo, Shri I. N.
Bhattacharyya, Shri C. K.
Birendra Bahadur Singh, Shri
Bist, Shri J B. S.
Brajeshwar Prasad, Shri
Chakravartty, Shrimati Renu
Chakraverti, Shri P. R.
Chandrasekhar, Shrimati
Chaturvedi, Shri S. N.
Chaudhry, Shr C. L.
Chaudhuri, Shri D. S.
Chettiar, Shri Ramanathan
Chuni Lal, Shri
Daji, Shri
Das, Shri B. K.
Dasappa, Shri
Deshmukh, Shri Shivaji Rao S.
Dighe, Shri
Gahmari, Shri
Gandhi, Shri V. B.
Ganga Devi, Shrimati
Goni, Shri Abdul Ghani
Gopalan, Shri A .K.
Guha, Shri A. C.
Gupta, Shri Indrajit
Gupta, Shri Ram Ratan
Hansda, Shri Subodh
Hazarika, Shri J. N.
Hem Raj, Shri
Himatsingka, Shri
Jadhav, Shri Tulshidas
Jamunadevi, Shrimati
Jedhe, Shri
Jena, Shri
Jyotishi, Shri J. P.
Kadadi, Shri
Kapper, Shri
Karuthiruman, Shri
Kedaria, Shri C. M.
Keishing, Shri Rishang
Kisan Veer, Shri
Koujalgi, Shri H. V.
Kripa Shankar, Shri
Krishnamachari, Shri T. T.
Lakshmikanthamma, Shrimati
Lalit Sen, Shri
Laskar, Shri N. R.
Laxmi Bai, Shrimati
Mahtab, Shri
Malaichami, Shri
Malhotra, Shri Inder J.
Mandal, Shri Yamuna Prasad
Mariyargadan, Shri
Mehrotra, Shri Brai Bihari
Mirza, Shri Bakar Ali
Mishra, Shri Bibhuti
Misra, Shri Mahesh Dutta
Mohanty, Shri G.
Morarka, Shri
More, Shri K. L.
Mukerjee, Shrimati Sharda
Murti, Shri M. S.
Nair, Shri Vasudevan
Narda, Shri
Nehru, Shri Jawaharlal
Niranjan Lal, Shri
Pant, Shri K. C.
Patel, Shri P. R.
Patel Shri Rajeshwar
Patil, Shri D. S.
Patil, Shri S. B.
Pattabhi Raman, Shri C.R.
Prabhakar, Shri Naval
Raghunath Singh, Shri
Raja, Shri G. R.
Raideo Singh, Shri
Ram Sewak, Shri
Ram Subhag Singh, Dr.
Ram Swarup, Shri
Ramaswamy, Shri S. V.
Ranjan Singh, Shri
Rane, Shri
Rao, Shri Krishnamoorthy
Rao, Shri Muthyal
Rao, Shri Rajagopala
Rao, Shri Rameshwar
Rao, Shri Thirumala
Ray, Shrimati Renuka
Reddaiar, Shri
Roy, Shri Bishwanath
Sadhu Ram, Shri
Saha, Dr. S. K.
Sahu, Shri Rameshwar
Samanta, Shri S. C.
Satyabhama Devi, Shrimati
Shah, Shri Manabendra
Sham Nath, Shri
Sharma, Shri K. C.
Shashi Ranjan, Shri
Shastri, Shri Prakash Vir
Sheo Narain, Shri
Shinde, Shri
Shree Narayan Das, Shri
Siddananjappa, Shri
Siddiah, Shri
Sidheshwar Prasad, Shri
Singh, Shri D. N.
Singh, Shri J. B.
Singh, Shri K. K.
Sinha, Shri B. P.

Sinha, Shri Satya Narayan	Swaran Singh, Shri	Vidyalankar, Shri A. N.
Sinha, Shrimati Ramdulari	Tiwary, Shri D. N.	Virbhadra Singh, Shri
Sonavane, Shri	Tiwary, Shri K. N.	Vyas, Shri Radhelal
Soundaram Ramachandran, Shrimati	Tiwary, Shri R. S.	Wadiwa, Shri
Subramanyam, Shri T.	Upadhyaya, Shri Shiva Dutt	Warior, Shri
Sumat Prasad, Shri	Vaishya, Shri M. B.	Yadab, Shri N. P.
Surendra Pal Singh, Shri	Varma, Shri Ravindra	Yadav, Shri Ram Harkh
Surya Prasad, Shri	Venkatasubbaiah, Shri P.	Yadava, Shri B. P.
Swamy, Shri M. P.		

NOES

Bade, Shri	Mahananda, Shri	Sashank Manjari, Shrimati
Basant Kunwarni, Shrimati	Marandi, Shri	Sirgh, Shri Y. D.
Bheel, Shri P. H.	Masani, Shri M. R.	Singha, Shri Y. N.
Deo, Shri P. K.	Ram Singh, Shri	Solanki, Shri
Kapur Singh, Shri	Reddy, Shri Narasimha	Yashpal Singh, Shri

Mr. Speaker: The result of the Division is Ayes: 147; Noes 15.

The motion was adopted.

Clause 5, as amended, was added to the Bill.

Clause 6—*Amendment of section 153*

Shri Himatsingka: I beg to move:

Page 8,—

for clause 6, *substitute*—

'6. Substitution of new section for section 153.—For section 153 of the principal Act, the following section shall be substituted, namely:—

"153. Notice of all trusts, ex-express, implied or constructive, if given, shall be entered on the register of members, or of debenture holders." (6)

Clause 7 provides, under the proposed section 153B (2) that notice of a trust is to be given to the company:

"A copy of the declaration made under sub-section (1) shall be sent by the trustee to the company concerned, within twenty-one days, after the declaration has been sent to the public trustee."

But by clause 6, they are omitting the words "or be received by the Registrar" in section 153. Therefore, as the section remains, no notice of any trust, express, implied or constructive, will be entered in the Register of Members or of Debenture holders. So, by my amendment I suggest that section 153 should also be suitably amended.

Shri T. T. Krishnamachari: It is not redundant as pointed out by the hon. Member. I am afraid there are two different issues. One is the ordinary requirement under the law. The other is in regard to particular securities which are held by the trust. Since we have taken the precaution of saying in the new section 153B:

"Notwithstanding anything contained in section 153",

this is amply covered.

Shri Himatsingka: Sir, I withdraw my amendment.

Mr. Speaker: Has he the leave of the House to withdraw his amendment?

Hon. Members: Yes.

The amendments were, by leave, withdrawn.

Mr. Speaker: The question is:

"That clause 6 stand part of the Bill."

The motion was adopted.

Clause 6 was added to the Bill.

Clause 7— *Insertion of new sections after section 153*

Shri Solanki: I beg to move:

Page 9,—

after line 12, *insert*—

"(a) where the trust is not a public charitable; or

(b) even if the trust is a public charitable trust, where the trust money is invested in shares in, or debentures of, a private limited company, or". (34)

I want family trusts and trusts comprising shares of private limited companies to be exempeted. These powers are taken by Government to safeguard the public interest. This can hardly apply to family trusts, because they are of interest only to the family. Also the trust of a private company hardly comes under public interest. These two should be excluded from Government interference.

Shri Bade: I want one clarification from the hon. Minister. He stated on the 28th November that there would be an amendment exempting charitable trusts, educational trusts and family trusts. I have got a copy of his speech here. Is the Minister going to keep the promise given on the 28th November or not? Then, why is he not making such an amendment?

The donor, when he makes a trust, does so with the intention that it should be useful for certain purposes, from a certain point of view. He has important rights, the right of property, and the right of vote. The right of vote is being taken away by a simple amendment. So, I think chartiable and family trusts should be exempted.

Besides, if any proxy or any person who is a Government official votes in a hundred companies, that will become a sort of monopoly of voting. There should be some clause protecting charitable and family trusts.

श्री व० प्र० सिंह (मुंगेर) : अध्यक्ष महोदय, मेरे संशोधन ५३, ५४ और ५५ किस क्लाज में हैं।

अध्यक्ष महोदय : आप को पता होना चाहिये किस में हैं।

श्री व० प्र० सिंह : यह ८(ए) न्यू क्लाज है।

अध्यक्ष महोदय : असल में तो किसी में नहीं जायेंगे। ये आउट आफ आर्डर हैं।

Shri Morarka: There is a small printing error in clause 7. It says:

"After section 153 of the principal Act . . ."

The new section following should be section 153A.

Shri T. T. Krishnamachari: I hope it will be corrected. It is a printing error.

The onus is now placed on the Central Government to pick out particular stocks and ask the public trustee to give them exemption. It is not a possibility. As I have said, once the power is given to the public trustee, if the trustee himself wants to exercise the power, he can apply to the public trustee, and the public trustee may ask him to do so. The whole position is sought to be reversed. I am unable to accept the amendment.

Mr. Speaker: The question is:

Page 9,—

after line 12, *insert*—

"(a) where the trust is not a public charitable trust; or

(b) even if the trust is a public charitable trust where the trust money is invested in shares in, or debentures of, a private limited company, or". (34)

The motion was negatived.

Mr. Speaker: The question is:

"That clause 7 stand part of the Bill."

The motion was adopted.

Clause 8—*Insertion of new section after section* 187A

Shri Warior: I beg to move:

(1) Page 10, lines 3 and 4,—

omit "or the trustee himself". (9)

(ii) Page 10, *omit* lines 6 to 10. (10)

Shri Bade: I beg to move:

Pages 9 and 10,—

for lines 24 to 35 and 1 to 32 respectively, *substitute*—

"187B. (1) The Central Government may, by notification in the Official Gazette, appoint a person as public trustee to exercise the rights and powers conferred on him by this section.

(2) Notwithstanding anything contained in this Act or any other law or any contract, memorandum or articles, where any shares in, or debentures of a company are held in trust by any person (hereinafter referred to as the trustee), the Central Government may, subject to the provisions hereinafter contained, direct the public trustee to exercise at any meeting of the company or at any meeting of any class of members of the company or at any meeting of the debenture holders of the company, as the case may be, the same rights and powers (including the right to vote by proxy) as the trustee would exercise as a member or debenture holder at such meeting and thereupon the public trustee shall, and the trustee shall not, exercise any such rights and powers as aforesaid:

Provided that—

(a) the power under this subsection shall not be exercised except in a case where the Central Government is satisfied that the trustee has in breach of his duties as a trustee exercised his voting right for the advancement of the personal interest of himself or of the settler or to the deteriment of the interests of the trust;

(b) this power shall be exercised only after the trustee has been given an opportunity of showing cause against the action proposed to be taken; and

(c) any trustee against whom this power has been exercised shall have the right of appeal to the High Court having jurisdiction in relation to the place at which the registered office of the company concerned is situated.". (37).

Shri Masani: I beg to move:

Page 10,—

for lines 1 to 28, *substitute*—

"(2) (a) In exercising any such right or power under this section the public trustee shall either appoint as his proxy or proxies for the meeting such trustee or trustees as would otherwise be entitled to exercise such right or

power if this section were not enacted, or exercise such right or power in accordance with directions of such trustee or trustees, unless he has reasonable grounds for believing that by doing so he will be acting against the interests of the beneficiaries of the trust;

(b) If no proxy or proxies is or are appointed under sub-clause (a), the public trustee shall refrain from exercising such right or power at all unless he has reasonabse grounds for believing that the interests of the beneficiaries of the trust will be adversely affected by his not exercising such right or power in which case he shall exercise such right or power solely in the interest of the beneficiaries of the trust". (38).

Shri Warior: My amendment is to the effect that the trustee himself should not attend meetings for voting, once he is removed from that position. The public trustee should not allow him or hand over this right, once he is removed or the right is taken over.

Shri T. T. Krishnamachari: Nobody is removed; nothing is taken over.

Mr. Speaker: Nothing is removed; nothing is taken over. So, he should be satisfied and now sit down.

Shri Bade: My submission is this. Suppose for one year a trustee is not authorised to vote. That right to vote should not be extinguished for the trustee for ever. Once the right to vote is taken away by the Government, it should not be taken away for ever. Otherwise, there will be no trusts in future. That right is a very important right. There are two types. One type of person may act to the detriment of the trustee or to the donor. The other type of person may act in a way detrimental to the company, in which case Government can interfere. There is no clarification if he acts in a way detrimental to the trust. There is no clarification from the Government on this point. In Bombay and Gujarat they have the Trusts Act, by which they could overcome one of these difficulties. But there are two provisions: the Trusts Act and the Companies Act. The provision here is pucca. Once the trust man is removed, the right to vote will not be resumed by the trust. That is detrimental to the trusts and the donors who create trusts for certain purposes. Therefore, I have put this amendment.

Shri Masani: Mr. Speaker, the original scheme of this clause was that Government should act in individual cases in regard to the right to vote of individual trustees. The amendment moved by Mr. Solanki and Mr. Bade refers to that position. It wants that there should be individual deprivation of the right of trustees to vote subject to a specific charge of misbehaviour or misuse of rights for personal interests and also subject to the normal equitable guarantees to the trustee—the right of being heard and of having an appeal to the High Court.

My amendment No. 38 is an amendment to the Bill as reported by the Select Committee because the scheme has undergone a change. There is no longer any question of taking away an individual trustee's right to vote. All trusts lose their right to vote without any intervention on the part of Government. Automatically the right to vote vests in a Public Trustee. The hon. Minister thinks that this is an improvement because it takes away the interference of the executive from case to case and day to day. There is something in that point. On the other hand, a great deal depends upon who the public trustee is.

I am sorry that the Bill does not provide that the public trustee should either be full-time official who does not have any executive and official duties or an official of the Supreme Court or of the High Courts in the respective States. If a judicial official of the Supreme Court for the whole

[Shri Masani]

of India or the judicial officers of each Court were made public trustee, I can believe that this would be a good thing because the executive power, where all the economic power of the country that is being unfortunately concentrated today, would be out of the picture. But the Act leaves the appointment of a Public Trustee open. My fear is that he may be an executive limb of the Finance Ministry or some other department of Government who may be given this extra function. In that case the disinterestedness of the Government becomes somewhat deceptive.

My amendment tries to make the discretion of the Public Trustee subject to the possibility of appeal to the courts of law. My amendment is drafted in such language that if a Public Trustee were unreasonablity to deprive a normal trustee of his voting rights or to vote against the interests of the trusts perversely because of Governmental or political interference the normal trustees would have the right to go to the courts. The Bill as it comes from the Select Committee does not give this supervisory right to the judiciary. It does not make an action of the public trustee justiciable. If the hon. Minister really means that he wants to wash his department's and his own hands of the affair, I suggest two things, acceptance of the amendment so that the judiciary watches the Public Trustee and an assurance that the Public Trustee will not be a member of the executive limb of the Government but either a judicial officer or a full-time officer who has no other executive functions.

Shri T. T. Krishnamachari: Sir, the amendment of Shri Bade completely misunderstands the position. The votes in regard to equity holdings of trusts are misused for the purpose of concentration of economic power. What we would like to do is to freeze those votes completely. It will be open to the trustees to sell the shares or limit them to the extent that is mentioned or to invest in Government securities, house property or have widespread coverage even in regard to shares and not have any concentration which helps him to use his votes as a trustee along with his own to get power over a particular company. Mr. Bade has not understood the position; it is complete reversal of the intention.

Coming to Mr. Masani's amendment, I would not presume to say that he is not intelligent. He is very intelligent. The only trouble about him is that I have to search very carefully whatever amendment he moves. He knows my purpose. My purpose is not to get the right over these equity shares. Nobody wants to get the right or to get anything out of the trusts. Trusts' money can be invested within the limits of the law in each company so that it does not add to the power of the individual. If the holding of any particular trust is higher than this limit, then we have to immobilise and freeze it. Supposing the trusts' interests are to be safeguarded, the trustee can approach the public trustee and say: my interests are to be safeguarded, what do you do about it? If the public trustee feels that the trustee is a good person, all right, he says: I give you the proxy; you can act and you are only going to safeguard the interests of your trusts. But if he is not like that, if he thinks that there is ulterior intention or he suspects the *bona fides* of the trustee, he shall give his proxy to one of his officers to go and exercise the vote, if he thinks it necessary in the interest of the trust. But the normal thing for the public trustee would be not to act. Abnormally, when something comes to his notice, he acts either on the volition of the trustee or on his own volition. There is no intention of the Government to interfere with the property right; they only want that there is no misuse of the voting right because the trust has created certain equity shares

and it adds to the aggregate economic power in the hands of the trustee who has some interests in these companies. I think I have made the position very clear. It does not have anything to do with the trusts laws.

Shri M. R. Masani: I had asked the hon. Minister what his objection is to appointing a judicial officer and not one of his own officers as public trustee.

Shri T. T. Krishnamachari: The point really is that the exercise of the power is going to be an exception. To say that the trustee himself is not going to act, is going to do somebody's bidding, again shows that some interest is there. We want that interest to be controlled in a particular manner. I am afraid Shri Masani is not helping the interest which he wants to protect today.

Shri M. R. Masani: I do not want to protect any interest. I cannot agree with that.

Mr. Speaker: Are amendments 9 and 10 pressed?—Not pressed.

The amendments were, by leave, withdrawn.

Mr. Speaker: Amendment No. 37. I shall put it to the vote now.

The amendment was put and negatived.

Mr. Speaker: Amendment No. 38. I shall put it to the vote now.

The amendment was put and negatived.

Mr. Speaker: The question is:

"That clause 8 stand part of the Bill."

The motion was adopted.

Clause 8 was added to the Bill.

Mr. Speaker: New clause 8A. The amendments—Nos. 53, 54 and 55—are out of order, being beyond the scope of the Bill.

Clause 9—*(Insertion of new Chapter and sections in Part VI)*

Shri T. T. Krishnamachari: I beg to move:

Page 12, lines 35 and 36—*for*

"a finding of the Tribunal or a decision of a High Court under this Chapter" *substitute*—"a finding of the Tribunal under this Chapter or a decision of a High Court thereon". (15).

This is merely to correct a verbal error.

Mr. Speaker: The question is:

Page 12, lines 35 and 36, *for*

"a finding of the Tribunal or a decision of a High Court under this Chapter" *substitute*—"a finding of the Tribunal under this Chapter or a decision of a High Court thereon". (15).

The motion was adopted.

Shri Warior: I beg to move:

(i) Page 13, lines 5 and 6,—

for "a reasonable opportunity to show cause" *substitute*—

"an opportunity of being heard". (13)

(ii) Page 13,—

omit lines 15 to 18. (14)

Shri P. R. Patel: I beg to move:
Page 11,—

for lines 1 to 21, *substitute*—

"388B. (1) Where in the opinion of the Central Government there are circumstances suggesting that any person concerned in the conduct and management of the affairs of a company has com-

[Shri P. R. Patel]

mitted a penal offence of misappropriation, breach of trust, criminal negligence or misfeasance in carrying out his obligations and functions under the law.". (40)

Shri M. R. Masani: I beg to move:

(i) Page 11,—

for lines 1 and 2, *substitute*

"388B. (1) Where it is the opinion of the Central Government—". (41)

(ii) Page 11, line 6,—
omit "negligence or". (42)

(iii) Page 11,—
omit lines 8 to 16. (43)

Shri Solanki: I beg to move:

Page 13, lines 29 and 30,—

omit "with the previous approval of the Central Government,". (45)

Shri M. R. Masani: Mr. Speaker, Sir, clause 9 has some features which are quite pernicious, and do not show any understanding of industrial management. There are four grounds on which it is suggested that a company manager or director may be referred to a tribunal. Two of these grounds are perfectly fair. If hon. Members will turn to page 11 of the Bill, section 388B, they will see that the first ground is:

> "(a) any person concerned in the conduct and management of the affairs of a company is or has been in conection therewith guilty of fraud, misfeasance, persistent negligence or default in carrying out his obligations and functions under the law, or breach of trust;"

16.43 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

Such a case should go to the tribunal. Except for the word 'negligence', there is nothing wrong with this section and one would heartily support it.

Similarly, there is section 388B(d) which says:

> "that the business of a company is or has been conducted and managed by such person with intent to defraud its creditors, members or any other persons or otherwise for a fraudulent or unlawful purpose or in a manner prejudicial to public interest."

That is also perfectly in order. But sub-clauses (b) and (c) show an amazing lack of understanding of what industrial management is. It says that a man should be referred to the tribunal where "the business of a company is not or has not been conducted and managed by such person in accordance with sound business principles or prudent commercial practices." Similarly, sub-clause (c) says that where Government thinks that any man's conduct of business is likely to damage that business, the matter should go to the tribunal.

This is an absolutely outrageous proposal. The manager of a company and the directors represent those who have invested their own capital, those who have risked their own money so that they may make a profit. They and they alone are the best judges of what is good for the company. For a politician in office or a Government official to presume to sit in judgment over the correct conduct of a business, to say that Mr. XYZ should indulge in this business and should not undertake that business, should take this risk or should not take that risk, this is how he should do the job and not that way is presumptuous. Neither the politicians nor Government officials are competent to run businesses. Very few of them, with some exceptions like my hon. friend the Minister and a little like myself, show any capacity to run a business. For such people who are unqualified to run a business to presume to sit in judgment not only on those who know their jobs but who are risking their

money and nobody else's money is an impertinence. It just shows where we are drifting.

We are trying to impose bureaucracy on business. This is like the monkey playing the violin. It is, I say, an outrageous proposal. It would mean that every businessman has to think a hundred times before taking a decision. He may say "if I go in for this business in this way, suppose the Finance Ministry thinks this is not the right way to carry on business, or the Finance Ministry's ideas of sound business principles are different from mine, what will happen to me? I would be taken to a tribunal as a defaulter." Ultimately, the tribunal, having good sense, might say, "There is nothing wrong with it. Mr. XYZ was indulging in his own business transaction. Leave him alone." But the reputation of the man who is dragged before the tribunal is already damaged. Other people in business will say, "Better not deal with this man; the Government thinks there is something wrong with him." They may not realise that no allegation is made against him; his *bona fides* are not questioned. Some official who never ran a business, who could not make a hundred rupees in his life in business sits in judgment and says, "You are not running the business in a correct way. We think it should be run like this." What cheek! What impertinence! Is this what we are coming to? Is this the way that the hon. Minister wants to help industry and enterprise?

The Finance Minister made a very enlightened sattement in his broadcast of 11th October to which he referred this morning. When I read it I thought, 'Thank God, some sense is going to come into this Government's policy.' Let me read what he said.

Shri T. T. Krishnamachari: Very short-lived!

Shri M. R. Masani: Very short-lived, unfortunately. He said:

> "The word 'socialism' has come to mean 'all things to all men.' In fact, it is rapidly on the day to being debased."

I entirely agree. He went on to say:

> "To some, socialism appears to be synonymous with restraining the individual from exercising his initiative."

Sub-clauses (b) and (c) do exactly what the hon. Minister criticised in his broadcast of October 11. Then he said:

> "To me, however, socialism, far from curbing the individual, seeks to stimulate and reward individual initiative and enterprise."

If he would be only consistent with himself as on October 11, he will be well-advised to accept my amendment and withdraw this idiotic clause. There is no other word for it.

Shri Warior: Sir, my amendment is to delete the proviso which reads as follows:

> "Provided that the Central Government may, with the previous concurrence of the Tribunal, permit such person to hold any such office before the expiry of the said period of five years."

The earlier provision is more or less watered down; it says:

> "The person against whom an order or removal from office is made under this section shall not hold office of a director or any other office connected with the conduct and management of the affairs of any company during a period of five years from the date of the order of removal."

The order of removal is on certain findings. What are the findings? They are that the man in question has done some mischief or something against the law. He is found guilty. The order is passed. Why should there be a proviso? This has been added by the Select Committee. Why should

[Shri Warior]

that man before five years be placed in such a position? The intention of the clause is that a term of punishment should be given which not only should be an example to others but to the person also who must be able to re-think his own misconduct and then rectify it. For that, a five-year period is given. So, I am not convinced why that man should be reinstated before the expiry of the term. Hence, that provision should not be there. It must be removed.

Shri Himatsingka: Regarding the proviso to section 388E(1) at page 12, I feel that the proviso should be omitted. You will find that cases are referred to the tribunal against one director or other persons concerned in the conduct and management. But in the proviso, somebody else can also be removed if there is some sort of finding against him. It may be that that person is not before the tribunal and he had no opportunity of presenting his defence and be represented there. Therefore, I have suggested in my amendment No. 44 to omit this clause or to add a proviso as you find in section 341, which reads:

> "In the cases referred to in clauses (b) and (c) of section 336, it shall be open to the managing agent, notwithstanding anything to the contrary in any other law or agreement, for the time being in force, to expel or dismiss the convicted partner, director or officer, within thirty days from the date of his sentence; and in that event the disqualifications imposed by the clauses aforesaid shall cease to apply."

Here, if there is some finding against one director or partner of a managing company or any other, if that director is removed by the company concerned, I think the others should not be affected. They should not be removed, unless they also were before the Tribunal and against whom there was some sort of report. I hope the Finance Minister will take this into consideration.

Shri Solanki: My amendment seeks to delete the words "with the previous approval of the Central Government." If an officer is removed from a company and when re-employment is made by that company, why should Government's permission be sought permanently after that also? It means that the Government's interference in the company remains even after the fault has been removed. Hence my amendment.

Shri P. R. Patel: I submit that a director has to take decisions very often and every time he shall have to think whether his decision is in accordance with the sound business principles or prudent commercial practices. If he thinks like this, I think he will not be able to take any decisions and the business will suffer. So, I am of the opinion that this is a very wide term. I would request the Minister to explain to me what is sound business principle and prudent commercial practice. I am not able to understand it because it differs from man to man. Mr. Krishnamachari sitting here may take one decision and some other person may take another decision. It is a matter of discretion. Whether that discretion has been used honestly or fraudulently should be the question. Otherwise, this will create much mischief and it will rather harm the industry.

Sub-clause (c) also is very vague. It says:

> "that a company is or has been conducted and managed by such person in a manner which is likely to cause, or has caused serious injury or damage to the interest of the trade, industry or business to which such company pertains."

Which trade? He has to look to the interests of the company itself. If he does something which gives profit to the company he represents, it may cause loss to the other. So, it should be in the interest of the company that he represents. That would be all right. But the clause says "interest of the trade, industry or business" to which that company pertains". Suppose it is a textile company. According to this clause, that company has to see whether the doings of the company will do any harm to any other textile company. We know that competition is always good. But if the company enters into competition, perhaps the Government may think that it is not in the interest of the trade, industry or businesss to which it pertains. So, it is a very general term and I would request the Minister to drop this.

Shri Bade: Sir, I want to speak on amendment No. 45.

Mr. Deputy-Speaker: Your amendment is barred because it is the same as Mr. Solanki's.

Shri Bade: I want to speak on that amendment. As my hon. friend said, on page 11 it is said.

> "that the businesss of a company is not or has not been conducted and managed by such person in accordance with sound business principles or prudent commercial practices."

Regarding sound business principles and prudent commercial practices, there is no standard at all. That is again the will of the officer. Further on page 12 it is said:

> "388E. (1) Notwithstanding any other provision contained in this Act, the Central Government may, by order, remove from office any director, or any other person concerned in the conduct and management of the company...."

So, not only can the director be removed, but also any other person concerned with the affairs of the company. I do not know whether any other person means a chaprasi also. It may be used in any way. The law should be definite. Then, after once a man is removed, the company should not be deprived of its right to appoint a person of its own choice. But according to this clause the previous approval of the Central Government will be necessary to appoint another person. Why should it be necessary? Why is the Government not having any trust or confidence in the companies? That is too much interference in the companies. So, this should be dropped.

Shri T. T. Krishnamachari: In regard to what Mr. Himatsingka said, I have to say that Managing Agents, Secretaries and Treasurerss should be responsible for the action of their Chief Executive Officer. So far as what Mr. Patel has asked is concerned, the language has been taken out from our section 233A, which justifies its special origin. So far as Mr. Bade is concerned, he has had so many explanations from me so many times and I hope he does not want one more from me.

Mr. Deputy-Speaker: Does Mr. Himatsingka want to press his amendment?

Shri Himatsingka: No, Sir; I do not press it.

Shri P. R. Patel: I withdraw my amendment No. 40.

Mr. Deputy-Speaker: Does the hon Member have the leave of the House to withdraw his amendment?

Some Hon. Members: Yes.

The amendment was, by leave, withdrawn.

Shri M. R. Masani: I press my amendments Nos. 41, 42 and 43.

Mr. Deputy-Speaker: I will now put amendments Nos. 41, 42 and 43 to the vote of the House.

The amendments were put and negatived.

Mr. Deputy-Speaker: I will now put Mr. Solanki's amendment No. 45 to the vote of the House.

The amendment was put and negatived.

Shri Warior: My amendments Nos. 13 and 14 may also be put.

Mr. Deputy-Speaker: I will now put these two amendments to the House.

The amendments were put and negatived.

Mr. Deputy-Speaker: A Government amendment has been adopted to this clause. The question is:

"That clause 9, as amended, stand part of the Bill."

The motion was adopted.

Clause 9, as amended, was added to the Bill.

Clauses 10 to 14, clause 1, the Enacting Formula and the Title were added to the Bill.

Shri T. T. Krishnamachari: I beg to move:

"That the Bill, as amended, be passed."

Mr. Deputy-Speaker: Motion moved:

"That the Bill, as amended, be passed."

Some hon. Members *rose—*

Mr. Deputy-Speaker: Then we will have to sit longer and finish this Bill. After that, if the House feels like it, we will take up the half-hour discussion.

Shri Kapur Singh (Ludhiana): Mr. Deputy-Speaker, Sir, I rise to oppose this Bill and plead with this House that this Bill be rejected, and I do so for three reasons of principles and for three reasons of practical consequence.

There are three principles involved in this Bill, which flow from clauses 5, 7 and 8 of the Bill, which I think are most harmful not only for the the economy and interests of the country but also for the social stability, the cause to which we are all bound and pledged. The three principles involved are the sanctity of contract, repugnancy of retrospection of laws and, thirdly—and that is the basic objection—the subordination of the individual to the Collective Master called State Socialism.

Then I come to the three practical consequences which flow from the adoption of the clauses which I have already mentioned. The practical consequences are, firstly over-regulation of the social activities of our citizens; secondly, the inevitable discouragement of charitable trusts and, thirdly,—I was almost going to say discouragement of investment of foreign capital, but I do not wish to be called unpatriotic by my friends on my right—so I will merely say that it is shyness of investment that must result both at home as well as from abroad.

Now I shall take one or two minutes to elaborate these points. Clause 5 of this Bill is based on the principle that the Government have the inalienable right to convert loans given and debentures issued into equity shares. In the Select Committee this principle was accepted, but subject to another more basic principle that it should not apply retrospectively to the loans given or debentures issued already. Our objection to this matter is not, as my hon. friend Shri Bhagwat Jha Azad, has said that there should be no acceptance of the principle of the conversion of loans or debentures into equity shares, but our objection is

that the much more fundamental principle, namely, that the sanctity of contract should not be violated and the other objection which we have today is that the fundamental, that the pernicious doctrine of legal retrospection should not be brought on to the Statute Book of this country.

With regard to clauses 6 and 7 our objection is that it takes away a very valuable individual right of the trustee without assigning any cause and without giving any valid, objective reasons for this "national interest", whatever "national interest" might mean. Once the principle is accepted that there is such a thing as public interest, whatever may be its content, on the basis which it is permissible to subjugate the individual wholly, and to submerge his rights so as to hand them over to what is euphemistically called the "State" and which in practice is nothing but the ruling party, once this principle is accepted, we shall never see the end of this process and we shall be striking at the very roots of what we in this country have known from ancient times as *dharma*. Our ancient wisdom has told us:

Dharmo rakshah rakshate dharmeshu hanteh hante

'Those who abide by *dharma*, *dharma* protects them; those who disregard *dharma*, *dharma* destroys them.' Mr. Deputy-Speaker, I am aware that *dharma* can also be changed and altered, as the recent history has shown, and as some of my friends on my right in this House hold. But if *dharma* is to be altered, I say that *dharma* should be altered by the means which already stand sanctioned by history. The *dharmas* which are altered by means which are meta-legal, by brute powers that go by the name of the 'the law of the jungle'. Dharma should not be altered, *dharma* should not be subverted by constitutional means, by amending a statute and by the legal process. This is my last, though not least, objection to this Bill. With these words, I urge upon this House to reject this Bill wholly and totally.

Some Hon. Members *rose*—

Mr. Deputy-Speaker: There is no time now. The question is:

"That the Bill, as amended, be passed".

The motion was adopted.

17.06 hrs.

C.H.S. AYURVEDIC DISPENSARY NEW DELHI*

श्री यशपाल सिंह (कैराना) : उपाध्यक्ष महोदय, ५ दिसम्बर को मेरे सवाल का जवाब देते हुए माननीय मिनिस्टर साहब ने यह फरमाया कि उन्हें यह पता नहीं है कि मेडिसन का ताल्लुक धर्म के साथ है। अगर मेडिसन का ताल्लुक धर्म के साथ नहीं है, तो किसी चीज का भी ताल्लुक धर्म के साथ नहीं हो सकता है, क्यों कि जीवन की सब से इम्पार्टेंट चीज औषधि है। अगर जीवन को नाटक कर दिया जाए, तो फिर मनुष्य बेकार हो जाता है। हमारे देहात में और शहरों में करोड़ों आदमी ऐसे हैं, जो कि जलवायु से, सूर्य से प्राणायाम से, शीर्षासन से रोहत पाते हैं और उन को दवाओं की जरूरत नहीं होती है।

मिनिस्टर साहब से मेरी अर्ज यह है कि मेडिकल और हैल्थ के लिये जो ३४२ करोड़ रुपया डेथ फाइव-ईयर प्लान में रखा गया है, उस में से ३०० करोड़ रुपये आयुर्वेद के लिये होने चाहियें और सिर्फ ४२ करोड़ रुपये एलोपैथी के लिये होने चाहियें।

दिल्ली में आयुर्वेद की डिस्पेंसरी खोली गई है गुल मार्केट में, जहां सिर्फ १२०० क्वार्टर हैं, जब कि विनय नगर में कई

*Half-an-hour discussion.

[श्री यशपाल सिंह]

डिस्पेंसरी अभी तक कायम नहीं की गई है, जहां ५०,००० के करीब क्वार्टर हैं। दूसरे, इतवार की छुट्टी की वजह से आयुर्वेद को नुक्सान होता है। इतवार को सरकारी कर्मचारियों को दवाइ वगैरह लेने की छुट्टी होती है और इतवार को सरकार उस डिस्पेंसरी को बन्द कर देती है। एलोपैथी की डिस्पेंसरीज बन्द नहीं होती हैं, लेकिन आयुर्वेद की डिस्पेंसरी बन्द कर दी जाती है। इस लिए मेरा साग्रह अनुरोध है कि आयुर्वेद को बराबर का दर्जा दिया जाए। एक दिन की छुट्टी से एक साल का नुक्सान होता है। कब तक इस देश को पांच हजार मील पर बनी हुई दवाओं के सहारे जिन्दा रखा जायेगा? माननीय हैल्थ मिनिस्टर साहब महात्मा गांधी के साथ रही हैं और महात्मा गांधी ने पूरे चालीस साल तक एलोपैथी के खिलाफ प्रचार किया। इस लिये उन को कम से कम यह व्यवस्था जरूर करनी चाहिये कि लोग हिन्दुस्तानी मेडिसन के द्वारा, आयुर्वेद और यूनानी के द्वारा, अपना इलाज करा सकें। अगर गांधी जी के नक्शे-कदम पर चलना है, अगर गांधी जी की बात को मानना है, तो यह जरूर करना चाहिये। दिल्ली में कम से कम पांच डिस्पेंसरीज आयुर्वेद की होनी चाहिए और उन में छुट्टी नहीं होनी चाहिये। उन के आदमी बदले जायें, उन में काम करने वाले वैद्य और अ कम्पाउंडर बदले जायें, लेकिन छुट्टी न हो और अगर वे लोग कहें कि काम ज्यादा हो रहा है, तो उन को ओवरटाइम एलाउंस दिया जाये, लेकिन एक दिन के लिये भी आयुर्वेद डिस्पेंसरीज को बन्द न किया जाय। अगर गांधी जी का सच्चे मानों में अनुगमन करना है और उस तालीम पर अमल करना है, जो कि उन्होंने देश को दी थी, तो यह जरूरी है कि एलोपैथी को यक-कलम खत्म किया जाए। अमरीका, इंग्लैंड और जर्मनी में, जहां लई कूने, वरनंर मकफेडन, विण्टरनिट्स जैसे आदमी पैदा हुए, जहां जुस्ट जैसे महात्मा पैदा हुए, एलोपैथी की किताबों को समुन्दर में फिकवा दिया गया। महात्मा गांधी के कथन को मैं दुबारा आपके सामने दोहरा देना चाहता हूं। उन्होंने एक बार नहीं हजार बार कहा था कि अगर एलोपैथी की दवायें समुन्दर में फिकवा दी जाय तो मानव जाति तो बच जायेगी, मैनकाइंड तो बच जायगा, उसका तो फायदा हो जायेगा मगर नक्सान मछलियों का होगा, वे मर जायेंगी। जिस बोसीदा थ्यूरी को, जिस साइंस को दुनिया ने अपने यहां से निकाल कर फेंक दिया है वही हिन्दुस्तान के ऊपर लादी जा रही है। कोई क्राइटीरिया होना चाहिये मैं तीन क्राइटीरिया पेश करता हूं। पहला यह कि वैद्य और डाक्टर को ले कर देखा जाये कि दोनों में से कौन स्वस्थ है, दोनों में कौन सुन्दर है, दोनों में कौन समर्थ है, कौन अधिक काम करता है। दूसरा यह है कि पार्लियामेंट के जो मैम्बरान हैं, जो आयुर्वेद और एलोपैथी को मानते हैं, उनका कम्पीटीशन जरूर होना चाहिये, स्वास्थ्य में भी होना चाहिये, दौड़ में भी होना चाहिये, विद्या और बुद्धि में भी होना चाहिये। तीसरा यह है कि सौ बीमार उन्हें दिये जायें और सौ बीमार हम को दिये जायें, आधे आधे मरीज हिन्दुस्तान के बांट कर दिये जायें, अगर उन से बहुत ज्यादा को हम लोग जो आयुर्वेद को मानते हैं अच्छा करके न दिखला दें, अगर उन को ज्यादा तादाद में हम स्वस्थ करके न दिखला दें, उनको ठीक करके न दिखला दें, उन से आधे समय में हम इन बीमारों को अच्छा करने न दिखला सकें तो मैं श्रीमान कहता हूं कि हमारे हाथ कटवा दिये जायें। कब तक हम अंधों के पीछे चल करके एक ऐसी फिलोसफी, एक ऐसी साइंस, ऐसी थ्यूरी को जो बिल्कुल सड़ चुकी है गल चुकी है, पैच अप करेंगे। वह पैच अप करने लायक नहीं रह गई है। हिन्दुस्तान में सूर्य की किरणों से, व्यायाम से, आसन से शीर्षासन से, योगासन से और हठयोग से लाखों करोड़ों आदमी अच्छे होने

चाहिये । वे होते थे । यहां यह विद्या आज तक स्कूलों में लागू नहीं की गई है ।

मेरा कहने का मतलब यह है कि अगर भारत की संस्कृति को जिन्दा करना है, अगर हिन्दुस्तान की बढ़ती हुई जरूरतों को पूरा करना है तो वह आयुर्वेद के द्वारा ही हो सकती है । मैं साफ कहता हूं कि यह जो परिवार नियोजन है यह जो गर्भ निरोध चल रहा है, यह जो बर्थ कंट्रोल चल रहा है, यह महात्मा गांधी के कथन के खिलाफ है । यह मेरे धर्म के खिलाफ है, मेरी संस्कृति के खिलाफ है । आयुर्वेद साफ इस बात को कहता है । आयुर्वेद की थ्यूरी इसी चीज पर बेस करती है, आयुर्वेद यहीं से शरू होता है कि साउंड बाडी में कारनल डिजायर पैदा नहीं हो सकती है । साउंट बाडी में सिर्फ डिजायर फार ए चाइल्ड ही पैदा होती है । जो साउंड बाडी है, जो स्वस्थ्य शरीर है, जो सुन्दर, सौम्य, भव्य, दिव्य शरीर है, जो सुन्दर बाडी है, जो सौम्य बाडी है, जो साउंड बाडी है जो परफैक्टली हैल्दी बाडी है, उस में कारनल डिजायर्ज पैदा नहीं होती हैं, उस में सिर्फ पुत्रेषणा पैदा होती है, डिजायर फार ए चाइल्ड पैदा होती है । आयुर्वेद का हुक्म यह है । अगर उस हुक्म पर अमल किया जाता, तो बढ़ती हुई आबादी का मसला हल हो जाता । उस का हुक्म है फार दी सेक आफ दी चाइल्ड वंस इन लाइफ, सारी जिन्दगी में केवल एक बार और वह भी सिर्फ पुत्रोत्पत्ति के लिए । चाइल्ड के लिए ही सिर्फ डिजायर पैदा होती है । अगर आयुर्वेद को जारी किया जाता तो यह २५ करोड़ रुपया जो परिवार नियोजन पर खर्च किया जा रहा है, यह न करना पड़ता । यह परिवार नियोजन नहीं है, यह व्यभिचार नियोजन है, यह भ्रष्टाचार नियोजन है । महात्मा गांधी ने इस की जड़ें खोदी थीं । उन्हों ने कहा था कि अगर भारत की संस्कृति को जिन्दा रखना है, तो सब से पहले बर्थ कंट्रोल के सिस्टम को खत्म करना चाहिये । हिन्दुस्तान सैल्फ कंट्रोल के लिए खड़ा है, हिन्दुस्तान खड़ा है ब्रह्मचर्य के लिए, हिन्दुस्तान खड़ा है केवल सन्तानोत्पत्ति के लिए । हमारे आदर्श को मिटा कर के अगर अरबो रुपया भी इस परिवार नियोजन के ऊपर खर्च आप करेंगे तो भी हर्गिज हर्गिज आप को कामयाबी नहीं मिल सकती है । आयुर्वेद की यह आज्ञा है कि सिर्फ सन्तानोत्पत्ति के लिए पुरुष और प्रकृति को सिर्फ जीवन में एक दफा मिलने की इजाजत है । वेद का भी यही कथन है । वह कहता है कि पुरुष और प्रकृति से औलाद पैदा होती है । अथर्ववेद का कहना है ।

अभिक्रन्दन स्तनयन अहण: शितिंगो
वृहच्छेया नुभूमो जभार ।

अथर्व वेद सब से बड़ा ग्रन्थ है । इस का मतलब है सेल्फ कंट्रोल के तरीके से जोकि महात्मा गांधी भी कहते थे, अगर औलाद पैदा की जाती है, तो उस की आवाज में बादल जैसी गरज होती है, उस के पुट्ठों के अन्दर शेर जैसी शक्ति होती है, उस के मुखमंडल पर सूरज जैसा तेज होता है, उस की बाहुओं के अन्दर देशभक्ति का बल होता है, उस के मस्तिष्क के अन्दर अकाल पुरुष की दी हुई स्मृति और अकाल पुरुष की दी हुई प्रतिभा होती है । सिवाय आयुर्वेद के और कोई ऐसा उपाय नहीं है जोकि आज की बढ़ती हुई आबादी के मसले को हल कर सके । हमारे चौबीस हजार वेद मंत्रों में, हमारी गीता में कहीं भी जिसे क्युपिड कहते हैं, इस की कल्पना नहीं है, कारनल डिजायर्ज की कल्पना नहीं है । जीवन में केवल एक बार गृहस्थ करने का उपदेश है ।

आयुर्वेद तभी जिन्दा होगा जबकि सरकार उस को प्रोटैक्शन देगी । सरकार आयुर्वेद के साथ भिन्न ट्रीटमेंट कर रही है, स्टेप मदरली ट्रीटमेंट कर रही है, ऐसा ट्रीटमेंट कर रही है जैसा हरिजनों के साथ, पिछड़े

[श्री यशपाल सिंह]

ट्ठ लोगों के साथ, महिलाओं के साथ, किसानों और मजदूरों के साथ किया जा रहा है। मैं साफ कहता हूं कि अगर हिन्दुस्तान की कल्चर को जिन्दा रखना है तो आयुर्वेद को जिन्दा रखना होगा।

गुलाम की पहचान क्या है। उस की पहचान सिर्फ है, परभाषा, परभाव, पर-औषध, पर-परिधान। उस की दवा दूसरे देश की होती है, पोशाक दूसरे देश की होती है, जबान दूसरे देश की होती है, भाव दूसरे देश के होते हैं, रहन सहन दूसरे देश का होता है। परभाषा, पर-भाव, पर-औषध, पर-परिधान, पराधीन जन की है या पूरी पहचान।

अब मैं उन के लफ्जों में कुछ पढ़ कर आप को सुनाना चाहता हूं जिन्हों ने ऊंची से ऊंची ग्रायोरिटी हासिल की है, चालीस चालीस साल तक प्रेक्टिस करने के बाद इस नतीजे पर पहुंचे हैं कि ये जो दवायें हैं, ये जो इंजेक्शन दिये जाते हैं, ये बीमारी को दबाते हैं, ये चोर को निकालते नहीं हैं, बल्कि चोर का दरवाजा बन्द करते हैं जिस से चोर एक जगह नहीं हजार जगह नुक्सान पहुंचा सके। उन्हीं के लफ्जों में जिन्हों ने ४०–४० साल तक एलोपैथी की ऊंची से ऊंची तालीम पाई थी, कहना चाहता हूं :—

"But if the body's attempts to thus rid itself of its imposed burden are continually thwarted by the suppressive methods of treatment in vogue at the present time, the waste materials in question which, as has been explained, are always acid in character are thrown back into the tissues and thus pave the way for the whole melancholy catalogue of diseases, from bronchitis and heart diseases, down to cancer and paralysis"

ब्रंकाइटिस से ले कर आखिर में हार्ट ट्रबल्ज तक इन दवाओं से पैदा होता है।

मेरे कहने का मतलब यह है कि ये दवा बेकार हो चुकी हैं और यह उन लोगों का मत है जिन्हों ने चालीस चालीस साल तक आयुर्वेद को देखा है। आयुर्वेद की एक पैसे की दवाई उतना आराम कर सकती है जितना कि एलोपैथी की एक लाख रुपये की आराम नहीं कर सकती हैं। उन्हों ने किताबों को निकाल निकाल कर फेंका है। महात्मा गांधी से बढ़ कर के और कोई आदर्श इस का नहीं हो सकता है। अगर उन का नाम लिया जाता है तो एलोपैथी को एक कलम खत्म करना होगा और उस के स्थान पर जो हमारा आयुर्वेद है, यूनानी सिस्टम है उन को कायाब करना होगा।

मैं यह भी कहना चाहता हूं कि दिल्ली के अन्दर पांच आयुर्वेद डिसपेंसरीज की जरूरत है। सरकार का फर्ज है कि ज्यादा से ज्यादा इस के लिए रुपया मंजूर करे। चांदनी चौक में, विनय नगर में, रामाकृष्ण पुरम् में, नई दिल्ली के उन इलाकों में जहां सरकारी कर्मचारी रहते हैं, उन को मौका दिया जाय कि वे आयुर्वेद से अच्छे हो सकें और आयुर्वेद से लाभ उठा सकें। कोई न कोई स्कीम मंत्री महोदय ऐसी जरूर बतलायें जिस से भारत का गिरता हुआ स्वास्थ्य उन्नत हो।

आपका जो हैल्थ डिपार्टमेंट है इसका मतलब यह नहीं है कि यह ट्रीटमेंट डिपार्टमेंट है, चिकित्सा डिपार्टमेंट नहीं है। चिकित्सा डिपार्टमेंट और है और हेल्थ डिपार्टमेंट और है। यह हमारे लिए बड़े शर्म की बात है कि अस्पताल बढ़ते जा रहे हैं। अगर हम लोग आयुर्वेद के मुताबिक अपने जीवन को निभाते तो अस्पताल खत्म हो जाते। अस्पताल बढ़ने का मतलब क्या है। इसका मतलब यह है कि बीमार बढ़ते जा रहे हैं। यह ३ अरब ४२ करोड़ रुपया जो है इसका मतलब क्या है। इसका मतलब यह है कि बीमार

बढ़ते जा रहे हैं । मैं चाहता हूं कि इन दो डिपार्टमेंट्स को अलग अलग किया जाए और जो तीन क्राइटेरिया मैंने दिये हैं, उन तीन क्राइटेरिया को आजमाया जाए । ये क्राइटेरिया जब तक हिन्दुस्तान के ४४ करोड़ इंसानों के सामने नहीं आयेंगे तब तक भले का और बरे का पता नहीं चलेगा । अगर आग में ने डाला जाये तो सोने और मुलम्मे का पता कैसे लग सकता है । बनावटी सोना आग में पड़ कर काला हो जायेगा और असली सोना आग में पड़ कर निर्मल होगा उज्ज्वल होगा, चमकीला होगा । इसलिये मेरी दरख्वास्त है कि दिल्ली के अन्दर कम से कम पांच आयुर्वेदिक डिस्पेंसरी का ऐलान किया जाय और ३०० करोड़ रुपया आयुर्वेदिक पद्धति के लिये त । ४२ करोड़ रुपया ऐलोपैथिक पद्धति की उन्नति के लिये रक्खा जाये ।

Shri B. K. Das (Contai): In view of the fact that there is only one Ayurvedic dispensary in New Delhi, may I know whether it is possible that a Government servant, irrespective of the area or the dispensary allotted to him, can have the advantage of having treatment in this Ayurvedic dispensary?

Shri D. C. Sharma: May I know whether the Ministry has any plan for the progressive increase in the number of Ayurvedic dispensaries, not only under the CHS but also under the other schemes, not only in Delhi but in other parts of India also?

The Minister of Health (Dr. Sushila Nayar): Mr. Deputy-Speaker, Sir...

श्री यशपाल सिंह : हिन्दी में उत्तर दीजिये ।

डा० सुशीला नायर : उपाध्यक्ष महोदय, आपको देख कर मुझे अंग्रेजी का ध्यान आ गया हालांकि माननीय सदस्य को देख कर मुझे हिन्दी का ही ध्यान आना चाहिये ।

Shri Nambiar (Tiruchirapalli): The hon. Minister may speak in English so that we may aslo be able to follow.

डा० सुशीला नायर : उपाध्यक्ष महोदय, मैंने बहुत ध्यान से माननीय सदस्य का भावना से भरा भाषण सुना । उनके भाषण का जवाब देने से पहले जो दो छोटे छोटे सवाल पूछे गये हैं, मैं उनका जवाब दे दूं । पहला सवाल करने वाले माननीय सदस्य बहुत बड़े हैं लेकिन जैसा उन्होंने बड़े लोग करते हैं अपना सवाल बहुत थोड़े से शब्दों में रख दिया । उसका जवाब भी थोड़े से शब्दों में दे दूंगी । जिन माननीय सदस्य ने यह बहस उठाई उन्होंने भाषण तो लम्बा दिया लेकिन उसमें सवाल कोई बहुत ज्यादा नहीं थे । इसलिये उस भाषण को मैं बाद में लूंगी ।

पहले तो यह पूछा गया है कि जो आयुर्वेदिक डिस्पेन्सरीज है उससे दूसरे इलाके के लोग क्या लाभ उठा सकते हैं । मेरा जवाब है, जी हां, उठा सकते हैं । सब दूसरी डिस्पेंसरी से लोग आयुर्वेदिक डिस्पेंसरी में आ सकते हैं और आते हैं । लेकिन अपनी डिस्पेन्सरी के डाक्टर की चिट से आते हैं ताकि ऐसा न हो कि वे दो जगहों पर एक वक्त में इलाज कराते जायें, जो कि मनासिब नहीं होगा ।

दूसरा सवाल था कि आयुर्वदिक डिस्पेन्सरीज को बढ़ाने में क्या इरादा है और वे खाली सरकारी बीमा योजना के नीचे ही खुलेंगी या अन्य जगहों पर भी । भारत सरकार तो सरकारी बीमा योजना ही चला रही है और उसके नीचे जो आवश्यकता होती है उसके मताबिक डिस्पेन्सरी खोलने की बात सोची जो सकती है । बाकी हिन्दुस्तान में राज्य सरकारें स्वास्थ्य की देख भाल करती हैं और कई जगहों पर उन्होंने आयवदिक डिस्पेन्सरीज खोली हैं । कई जगहों पर उन्हें उनको बन्द करना पड़ा है । बहुत से देहातों में तो आज देहाती नाराज होते हैं जब उनसे कहा जाता है कि तुम्हारे लिये

[डा० सुशीला नायर]

आयुर्वेदिक डिस्पेन्सरी खोली जायेगी या तुम्हारे लिये बेसिक स्कूल खोले जायेंगे । वे कहते हैं कि अगर हम शहरों में बाकायदा आधुनिक दवाखाने खोलते हैं तो उनके लिये क्यों आयुर्वेदिक डिस्पेन्सरी खोलते है. हम शहरों में आधुनिक ढंग के स्कूल खोलते हैं तो उनके बच्चों के लिये क्यों बेसिक स्कूल खोलते हैं । हम उनको समझा नही सकते हैं कि उनके लिये यह चीज ज्यादा अच्छी है जब तक हम बाकी देश में भी इन चीजों को सब के लिये अच्छा समझ कर न चलायें । माननीय सदस्य कहेंगे कि हमने एक आयुर्वेदिक दवाखाना खोला और उसका बहुत स्वागत हुआ, यह बतलाता है कि आयुर्वदिक दवा सबके लिये अच्छी है । हमने शुरू में जब यह दवाखाना खोला और उसमें जो लोग आये उनको देख कर हमने यह विचार किया था कि ऐसा दवाखाना आयुर्वेद का हम विनय नगर में भी खोल देंगे जहां पर बहुत सरकारी नौकर रहते हैं । लेकिन जैसा उस दिन मैंने इसी सवाल के जवाब में भी कहा था चन्द महीनों में मरीजों की संख्या गिरने लगी है और उस गिरती हुई संख्या को देख कर हमें फिर विचार करना पड़ा कि हम अभी इसको बढ़ायें यान बढ़ायें । हमने सोचा क्यों न इसको थोड़ा सा और देख लिया जाये । अभी मुझे इतना ही कहना है कि जो हमारी ग्राम आधुनिक डिस्पेन्सरीज हैं सारी दिल्ली भर में उन में हर रोज मरीजों की संख्या ५०० से लेकर १२०० तक है और एक डाक्टर रोज जितने मरीज देखता है उनकी औसत संख्या १२० है । आयुर्वेदिक डिस्पेन्सरीज में पहले तो रोजाना औसत २०० तक गया लेकिन अब औसत है १४६, १४१ और १३६ । इस तरह से उनकी हर रोज की संख्या हमारे सामने है । सब डिस्पेन्सरीज से लोग वहां जाते हैं तो भी जैसा मैंने आपसे बतलाया औसत संख्या मरीजों की इतनी कम है । तो भी अगर मरीजों ने ज्यादा दिलचस्पी दिखाई, ज्यादा लोग आयुर्वेदिक डिस्पेन्सरी की दवाओं से लाभ लेना चाहेंगे, तो हमारा विचार है कि हम विनय नगर में एक और डिस्पेन्सरी खोलें । पांच डिस्पेन्सरी खोलने का इस वक्त हमारा कोई इरादा नहीं है ।

जिन माननीय सदस्य ने यह वादविवाद उठाया उन्हों ने बहुत कुछ कहा और उस में उन का बार बार दोहराया हुआ नारा भी था कि ३४२ करोड़ में से ३०० करोड़ तो दे देना चाहिये आयुर्वेदिक पद्धति को और ४२ करोड़ रख देना चाहिये ऐलोपैथिक पद्धति के लिये, आधनिक पद्धति के लिये । इसी के साथ साथ उन्होंने यह भी कहा कि आयर्वेद की एक पैसे की दवा ऐलोपैथिक कीएक लाख रुपये की दवा के बराबर है । इस तरह से एक और एक लाख का रेशियो तो सीधे सीधे हो गया । अगर एक रुपया दिया जाये आयर्वेद को तो एक लाख रुपया देना होगा, ऐलोपैथिक को । यह भी उन को अपने हिसाब के अनुसार, मेरे हिसाब के अनुसार नहीं ।

श्री यशपाल सिंह : वह खत्म हो चुका है

डा० सुशीला नायर : मैं ने माननीय सदस्य को बिल्कुल डिस्टर्ब नहीं किया, बड़े ध्यान से सुना, अब वे मेरी भी बात सुन लें थोड़ी सी ।

फिर उन्हों ने कहा कि ५००० मील से समुद्र पार से जो दवाई लाई जाती है उस से हमारा कब तक गुजारा चलेगा । मैं माननीय सदस्य से बहुत अदब से यह बतलाना चाहती हूं कि ५००० मील दूर से हम दवा नहीं ला रहे हैं अधिकतर दवायें तो हम अपने ही देश में बना रहे है और उन दवाओं को शोध में भी कई एक अनुसन्धान हमारे लोगों ने किये हैं । बहुत से दूसरे देश के लोगों ने भी किये हैं लेकिन हम लोग भी इस अनुसन्धान में अब हिस्सेदार होने लगे हैं, कई दवायें हमारी ही हैं । मैं यह भी माननीय सदस्य

को बतला दूं कि कई एक आयुर्वेद की दवाओं को, जिन का इस्तेमाल हमारे बुजुर्गवार किया करते थे, आज के वैज्ञानिकों ने छान बीन कर के, अनालिसिस कर के, उन में से बहुत अच्छी अच्छी दवायें निकाल ली हैं । वे इस्तेमाल हो रही हैं आधुनिक इलाज के तरीके में ।

फिर आप ने यह कहा कि एम० पीज० का मुकाबला हो, डाक्टर वैद्यों का मुकाबला हो । तो अगर एम० पीज आपस में दौड़ लगाने की इच्छा प्रकट करें और हम से उस का इन्तजाम करने को कहें तो हम बड़ी खुशी से रस्सा वगैरह लगवा देंगे, दौड़ वे लगा लें बड़ी खुशी से । उस के बाद उन्हों ने कहा कि १०० मरीज उन को दिये जायें और १०० मरीज दूसरी तरफ दिये जायें । यह हमारे बस की बात नहीं है, हम जबर्दस्ती तो मरीजों से नहीं कह सकते क वे इधर जायें या इधर जायें । जितने आयें आप बड़ी खुशी से उन्हें लीजिये ।

फिर माननीय सदस्य ने बहुत जोर से फैमिली प्लानिंग के बारे में अपने विचार व्यक्त किये और परिवार नियोजन के लिये आत्म संयम की बात कही । मैं माननीय सदस्य के साथ सौ फीसदी सहमत हूं कि सब से अच्छा तरीका फैमिली प्लानिंग का आत्म संयम का है । अगर माननीय सदस्य मुझे यह सिद्ध कर के कि आयुर्वेद की दवा खाने वालों या आयुर्वेद को मानने वालों के घर में एक एक ही सन्तान है तो मैं आयुर्वेद के तरीके से फैमिली प्लानिंग के प्रचार के लिए जितना पैसा माननीय सदस्य चाहेंगे देने के लिये सहमत हो जाऊंगी । लेकिन जहां तक मुझे मालूम है आयुर्वेद वालों के घर में भी बहुत से बच्चे हैं, दूसरों के घरों में भी बहुत से बच्चे हैं ।

आयुर्वेद की दवा खाने वालों को काम वासना नहीं होती, यह एक नई बात माननीय सदस्य बता रहे हैं । अभी तक मैं ने कहीं यह बात नहीं सुनी थी । लेकिन जहां तक आत्म संयम का सवाल है, बहुत ज्यादा लोग यह रास्ता अख्तियार नहीं करते और हमारे पास कोई ऐसा तरीका नहीं है जिस से हम उन को मजबूर कर सकें कि वह अपने कुटम्बों को छोटा रखें और उस के लिये संयम को अपने जीवन में महत्व का स्थान दें । ऐसी अवस्था में कोई और रास्ता ढूंढना पड़ता है ।

मैं माननीय सदस्य को बहुत अदब से यह भी बता दूं कि हम कई जगह पर हम यह रिसर्च कर रहे हैं, कि कोई जड़ी बूटी अपने यहां की कहीं से मिल जाए जिस से कि जो बढ़ती हुई आबादी है वह, गोली खाने से, कुछ कम की जा सके लेकिन अभी तक ऐसी जड़ी बूटी हम लोगों को मिली नहीं है । मैं इंडोनीशिया गई थी, वहां किसी ने बताया कि एक जड़ी है । उस को भी प्राप्त कर के देखने की कोशिश की, लेकिन अभी तक उस में सफलता नहीं मिली है । अगर हम को कोई ऐसी जड़ी बूटी मिलेगी तो हम बड़ी खुशी से आयुर्वेद की तरफ उस जड़ी बूंटी को अपने देश में इस्तेमाल करेंगे इतना ही नहीं, हम सारी दुनिया में उस का प्रचार करेंगे और बड़ी खुशी से सब जगह लोग उस का इस्तेमाल करेंगे ।

लेकिन आज जब आबादी इतनी तेजी से बढ़ रही है कि हमारे देश की आर्थिक और सब प्रकार की तरक्की में बाधक बन रही है, तब आवश्यक हो जाता है कि हम किसी भी तरीके से इस बढ़ती हुई आबादी को काबू में ला सकते हैं, इस वृद्धि को कम कर सकते हैं, वह हम को करना चाहिये ।

माननीय सदस्य ने कहा कि स्वास्थ्य की तरफ ध्यान देना चाहिये । हम स्वास्थ्य की की तरफ ध्यान दे रहे हैं, बीमारियों को इस देश से निकालने की कोशिश कर रहे हैं और लाखों लोग जो बीमारियों के शिकार हो कर मर जाते थे हर साल उन को बचा रहे

[डा० सुशीला नायर]

हैं। मलेरिया से ही २० लाख मृत्युयें होती थीं, वे समाप्त हो गयी। चेचक से जो लाखों लोग मरते थे उन की संख्या हजारों में आ गयी है। यह भी नहीं रहेगी। इसी प्रकार हम दूसरे रोगों पर काबू पाने की कोशिश कर रहे हैं। तो इस से जाहिर है कि मृत्यु संख्या कम होती जा रही है। लेकिन अगर जन्म की संख्या बराबर रही तो आबादी और भी तेजी से बढ़ेगी, जिस से कि हमारे देश की तरक्की में बहुत बड़ी रुकावट आयेगी। इसलिये इस काम को हमारी सरकार ने बहुत महत्व दिया है और इस समय इकाफे की एक पापुलेशन काऊंसिल दिल्ली में बैठी है इन्हीं चीजों पर विचार करने के लिये।

इन शब्दों के साथ मैं माननीय सदस्य को फिर से यह आश्वासन देना चाहती हूं कि आयुर्वेद की जिस हद तक हमारे गवर्नमेंट सर्वेन्ट्स और एम० पी० आदि की, जो कि सरकारी स्वास्थ्य बीमा योजना से लाभ उठाते हैं, मांग होगी। उस हद तक हम उस मांग को पूरा करने की कोशिश करेंगे।

17.35 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, December 17, 1963/Agrahayana 26, 1885 (Saka).

[*Monday, December 16, 1963/Agrahayana 25, 1885 (Saka)*]

COLUMNS

MEMBERS SWORN 4761

ORAL ANSWERS TO QUESTIONS . . . . 4762—99

S.Q. No.	*Subject*	COLUMNS
579	Ghaziabad agriculturists	4762—66
580	Survey of middle class people	4766—69
581	Use of harmonium on A.I.R.	4769—74
582	Bonus Commission	4774—78
584	Study team on prohibition	4778—82
585	Pakistani infiltration	4783—92
586	U. N. Special Fund	4792—94
587	Research Laboratory at Gulmarg	4794—95
588	Cheap grain shops	4795—99

WRITTEN ANSWERS TO QUESTIONS . . 4799—4874

S.Q. No.		
583	Indians in Burma	4799—4800
589	Trespassing of Pakistanis into Tripura	4800-01
590	Non-official Price Intelligence Service	4801
591	Anti-Indian propaganda by Chinese	4801-02
592	Tarapur Atomic Station	4802-03
593	Relief to the unemployed	4803
594	Central Wage Board for Coal Mining	4803-04
595	Assistant High Commissioner for India in Rajshahi	4804-05
596	Enquiry into helicopter crash	4805
597	Atomic Energy Establishment, Trombay	4805—07
598	Air crash near Karnal	4807
598-A	New job for Shri R. K. Nehru	4808
599	Missing Army personnel	4808-09
600	Sugar industry	4809
601	Pay strike in Kalipahari Colliery, West Bengal	4849-10
602	News Division of A.I.R.	4810-11
603	Anti-Indian Chinese literature in Cairo	4811

WRITTEN ANSWERS TO QUESTIONS—*contd.*

S.Q. No.	*Subject*	COLUMNS
604	Atomic power	4811-12
605	Industrial truce at Marmagoa dock	4812—14
606	Ex-Indian National Army men	4814

U.S.Q. No.		
1648	H.A.L. employees	4814
1649	Cheap grain stores in Asansol-Raniganj coal belt	4815
1650	Gwalior Research Laboratory	4815
1651	Newsreel on C.P.I. procession in Delhi	4816
1652	Param Vir Chakras	4816-17
1653	Advisory Committee for Territorial Army	4817-18
1654	Workers in Bhilai Steel Project Collieries	4818-19
1655	Vividh Bharathi on A.I.R.	4819-20
1656	State Evaluation Committees	4820
1657	Trade Union Course at Singanallur	4820-21
1658	Employment of workers in H. A. L.	4821
1659	Border Roads Organisasation	4822
1660	Border roads	4822-23
1661	Hungar in Nepal Airport	4823
1662	Employment Exchanges in India	4824
1663	Manufacture of arms in States	4824
1664	Radar equipment from U.S.A.	4825
1665	Registration of newspapers	4825-26
1666	Tractors for Military Farm, Ambala	4826
1667	M.E.S., Ambala	4827
1668	Arrest of I.A.F. pilot	4827-28
1669	Industrial truce in coal mines	4828
1670	Production for defence requirements	4829
1671	Film on Ladakh Battle scen.	4829—31

WRITTEN ANSWERS TO QUESTIONS—*contd.*

U.S.Q. No.	Subject	COLUMNS
1672	Closing of ilmenite mines	4831
1673	Literature on labour problems	4831-32
1674	Recruitment of Journalists	4832-33
1675	Resolution on Southern Rhodesia	4833-34
1676	International Cooperation Year	4834-35
1677	Negotiations of treaties	4835-37
1678	Regulations for visiting forward areas	4837-38
1679	C.D. cars in Delhi	4838-39
1680	Craftsman Training Institutes	4839
1681	Pre-fabricated kits of Army vehicles	4840
1682	Ammunition for Rifle Clubs	4840-41
1683	General Taylor's visit	4841
1684	Ex-servicemen in Punjab	4841-42
1665	Employment risks	4842-43
1686	N.D.A. Khadakvasla	4843-44
1687	Beating of picnic party by Naval ratings	4845
1688	Haj pilgrims	4845-46
1689	Agricultural production Schemes for Nagaland	4846-47
1690	Assignment of Indians abroad	4847-48
1691	Preservation of foodstuffs	4848
1692	Production in Ordnance Factories	4848-49
1693	Saloni Aerodrome in Tezpur	4849
1694	New Cantonments	4850
1695	M.E.S. Delhi area	4850
1696	Land Reforms Committee	4851
1697	National Income	4851-52
1698	Proof and Experiment Centre, Balasore	4852-53
1699	National Defence Fund	4853-54
1700	Clerical and other staff in factories	4854
1701	Sino-Pak border demarcation	4854-55
1702	V.O.A. Transmitter Agreement	4855
1703	Manufacture of Marine Engines	4855-56
1704	"Telugu" in the Overseas Programmes of A.I.R.	4856

WRITTEN ANSWERS TO QUESTIONS—*contd.*

U.S.Q. No.	Subject	COLUMNS
1705	Primary Schools in Nagar-Haveli	4856-57
1706	Ordnance Factory near Panwel (Maharashtra)	4857
1707	A.I.R. staff artists	4857-58
1708	Third Pay Commission	4858
1709	Industrial awards in West Bengal	4858-59
1710	Elections to Delhi Cantonment Board	4859
1711	Cochin Aerodrome	4859
1712	Employment Survey in Bihar	4859-60
1713	Invitations to P. M's of Russia and Ceylon	4860-61
1714	Book entitled 'Peking Vs. Delhi'	4861
1715	Vocational Education at Secondary level	4861-62
1716	Extension of Apprentices Act to Coal Mining Industry	4862
1717	Transportation of coal in Singareni Collieries	4862-63
1718	Labour Inspector (Concilliation) at Asansol	4863
1719	Military are in Kotah	4863-64
1720	Television	4864-65
1721	Women registered with Delhi Employment Exchange	4865
1722	Remains of old temples found in Purachiri	4865-66
1723	Messages of the soldiers on the border through A.I.R.	4866-67
1724	Airmen and technicians	4867
1725	Central information Service	4867-68
1726	Rajasthan Canal	4868-69
1727	Chinese Sovereignty over Tibet	4869
1728	Use of radio-isotopes	4870
1729	Employees of A.I.R., Bikaner	4870
1730	Platoon Commander's detention in Pakistan	4870-71
1731	Pachmarhi Cantonment	4871
1732	Sainik School at Pachmarhi	4871-72

COLUMNS

WRITTEN ANSWERS TO QUESTIONS—*contd.*

U.S.Q. No. *Subject*

1733 Bharat Electronics Ltd., Bangalore . . . 4872

1734 Rural Works Programme in Madras . . 4872–73

1734-B Indian Commercial Attaches in Nepal . . 4873–74

OBITUARY REFERENCE . 4874

The Speaker made a reference to the passing away of Sardar Lal Singh who was a member of the First Lok Sabha.

Thereafter members stood in silence for a short while as a mark of respect.

PAPERS LAID ON THE TABLE 4877–78

(1) A statement on the proposal to set up a Central Vigilance Commission.

(2) A copy of Report on the 'Study of Cotton in India'.

(3) A copy of Conventions and Recommendations adopted at the 46th Session of the International Labour Conference held at Geneva in June, 1962.

(4) A copy each of the following Rules under sub-section (4) of section 8 of the Iron Ore Mines Labour Welfare Cess Act, 1961:—

(i) The Iron Ore Mines Labour Welfare Cess Rules, 1963 published in Notification No. G.S.R. 1534 dated the 28th September, 1963.

(ii) The Iron Ore Mines Labour Welfare Cess (Amendment) Rules, 1963 published in Notification No. G.S.R. 1875 dated the 7th December, 1963.

COLUMNS

PRESIDENT'S ASSENT TO BILLS . . . 4878

Secretary laid on the Table the following four Bills passed by the Houses of Parliament during the current Session and assented to by the President since a report was last made to the House on the 9th December, 1963:—

(1) The Drugs and Magic Remedies (Objectionable Advertisements) Amendment Bill, 1963.

(2) The Income-tax (Amendment) Bill, 1963.

(3) The Appropriation (No. 5) Bill, 1963.

(4) The Appropriation (Railways) No. 6 Bill, 1963.

MESSAGE FROM RAJYA SABHA 4878–79

Secretary reported a message from Rajya Sabha that Rajya Sabha agreed without any amendment to the Unit Trust of India Bill, 1963, passed by Lok Sabha on the 5th December, 1963 .

REPORT OF ESTIMATES COMMITTEE PRESENTED 4879

Fortieth Report was presented.

STATEMENT BY MINISTER 4879—95

The Minister of Finance (Shri T. T. Krishnamachari) made a statement regarding the Economic Situation.

STATEMENT BY MEMBER 4895—4905

Shri J . B. Kripalani made a statement in respect of certain observations relating to him made by Shri Ansar Harvani on the 21st and 22nd August, 1963.

Shri Ansar Harvani replied to the debate.

BILL PASSED . . . 4906—5014

The Companies (Amendment) Bill, 1963, as reported by the Select Committee,

COLUMNS

BILL PASSED—*Contd.*

Discussion on the motion for consideration of the Bill, as reported by the Select Committee, moved on the 13th December, 1963, continued. Shri T. T. Krishnamachari replied to the debate.

The motion was adopted and after clause-by-clause consideration the Bill was passed as amended.

HALF-AN-HOUR DISCUSSION RE: C.H.S. DISPENSARY . . . 5014—28

Shri Yashpal Singh raised a half-an-hour discussion on

COLUMNS

HALF-AN-HOUR DISCUSSION RE: C.H.S. DISPENSARY—*Contd.*

points arising out of the answer given on the 5th December, 1963 to Starred Question No. 387 regarding C.H.S. Ayurvedic Dispensary, New Delhi.

The Minister of Health (Dr. Sushila Nayar) replied to the discussion.

AGENDA FOR TUESDAY, DECEMBER 17, 1963/AGRAHAYANA 26, 1885 (SAKA)

Consideration and passing of Preventive Detention (Continuance) Bill, 1963.

GMGIPND—LSII—1797(Ai)LSD—24-12-63—880